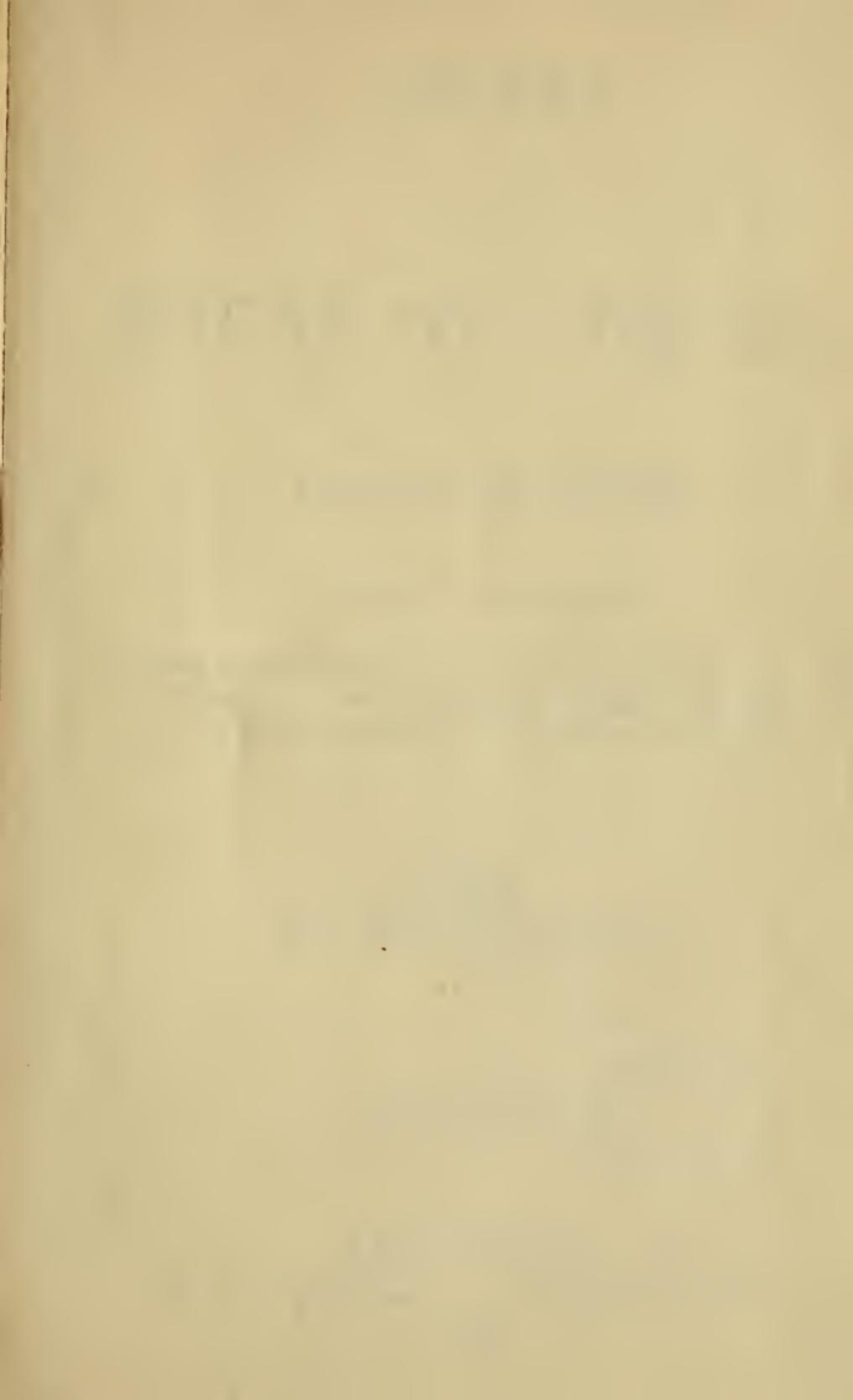


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CRIMES
OF THE
HOUSE OF AUSTRIA
AGAINST MANKIND.

PROVED BY EXTRACTS

FROM THE HISTORIES OF COXE, SCHILLER, ROBERTSON, GRATTAN, AND SISMONDI,
WITH MRS. M. L. PUTNAM'S HISTORY OF THE CONSTITUTION OF HUNGARY,
AND ITS RELATIONS WITH AUSTRIA, PUBLISHED IN MAY, 1850.

EDITED
BY E. P. PEABODY.

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BY RODOLPHE GARRIQUE,

In the Clerk's Office of the District Court of the United States for the Southern
District of New-York.

PREFACE
OF
SECOND EDITION.

THIS work was first published for the benefit of the Hungarian Fund, on the understanding (which proved a misunderstanding), of a certain autograph acknowledgment which failed to arrive at the time expected.

Those who had the care of the publication consequently took the liberty, without the leave or knowledge of the Editor, who was absent, to mutilate the correspondence that formed the Preface, making it irrelevant within itself, and insignificant altogether. The Preface is therefore wholly left out in this edition, and an Analytic Index is prefixed; and the stereotypes have passed into the hands of the present publisher, who republishes it, confident that these important passages of unquestionable history will benefit the Hungarian cause, by showing its necessity and justice, although it is impossible to benefit the Hungarian Fund by the proceeds of the work.

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C R I M E S
O F
THE HOUSE OF AUSTRIA
AGAINST MANKIND.

FREDERIC SCHLEGEL, in that extraordinary piece of sophistry, called the Philosophy of History, would have it "that the final cause of the Universe was to build up the Romano-Germanic Empire as the Metropolis and bulwark of *Christendom*."

This work, the substance of a course of eighteen lectures, delivered in Vienna, has little chance of making any great impression on mankind; for the genius which in his younger days guided SCHLEGEL in surveying the literatures of the world, and inspired his eloquent account of them, seems naturally enough to have deserted him, when he yoked himself as a drayhorse to the car of despotism and superstition. Nothing short of imperial authority could have compelled any human audience to have endured eighteen lectures of such dark metaphysics; but this, as we are exultingly told, was abundantly exerted, even by example, for the Imperial family attended in person!

That "Might makes Right" is a principle asserted not exclusively by the House of Austria, or rather by the *House of Hapsburgh*; (for we must not entirely absorb Austria in the House of Hapsburgh. Recent events have shown that Austria also has an entity of its own, and that so far as it exists, it has interests antagonistic to those of the reigning family).

But the Imperial House makes pretensions which especially challenge mankind to bring it to the bar for righteous judgment. From the day when Rodolph the First wrote to Pope Gregory X. to confirm his election to the Empire, even to the present

hour, this family has professed to be the elect Servant of the Most High, for the benefit of Mankind. Out of its own mouth shall it be judged.

“Conscious, says Rodolph, in that memorable document, “*of my own deficiency, and trembling with astonishment and fear, I hesitated whether I should accept so eminent a station*; until, at length, *trusting in Him*, who in the high and ineffable decrees of his Providence, changes as He wills the condition of mortals, *adds strength to the feeble and gives eloquence to the simple, I assumed courage sufficient to venture, weak as I am*, upon so laborious and difficult an office, hoping that neither *the grace of God*, nor the favour of *His Holy Church*, nor your paternal affection will be wanting to me. *Turning, therefore, all my thoughts to Him* under whose authority we live, and placing all my expectations on you alone, I fall down before the feet of your Holiness, beseeching you, with the most earnest supplications, to favour me with your accustomed kindness in my present undertaking; and that you will deign *by your mediation with the Most High* to support *my cause, which I may truly call the cause of the whole German Empire*, that *He may condescend to direct my steps according to His will, and lead me in the ways of His commandments*. That I may be enabled therefore, successfully to perform *what is most acceptable to Him and to His Holy Church*, may it graciously please your Holiness to crown me with the Imperial Diadem, for I trust I am both able and willing to undertake and accomplish whatever you and the Holy Church shall think proper to impose upon me.”

Such is the great and solemn pretension. And now in the first place mankind asks, who art thou, Rodolph of Hapsburgh, professing thyself humbly and unwillingly to be taking upon thyself the cares of Empire, out of mere devotion to God and to the human race whom God would lead, as a bridegroom leads his bride to the altar, giving himself to her and for her? Has then the Christian Charity which is greater than Faith and Hope and “*seeketh not her own*,” marked thy life’s conduct up to this time? And what are the conditions of the compact between thyself and the earthly representative of the Divine Providence? Are they that thou shalt enquire into the genius and institutions of all the nations that shall be united under thee, with a view to vindicate to every man the liberty wherewith Christ would make him free; to give scope for the perfect development of every

material resource of the countries they inhabit, and of every intellectual and moral opportunity that the Past, the Present, and the Future shall present?

Thine own words challenge the enquiry; the pretensions of all thy posterity, ever renewed, repeat the challenge. From the mountains of Switzerland, from the plains of Italy, from the rocks of Catalonia, from ruined and emasculated Bohemia, from partitioned Poland, from long betrayed though ever generous Hungary, even from thine own Tyrol and Styria, and Austria, come up the accusers, and impartial History gives utterance in some small measure to the voice of their manifold accusation.

The present volume will principally consist of a series of extracts from different historical works, in which the crimes of the House of Hapsburgh against liberty and law are *incidentally* related. There seems to be a call, just now, that the testimony of History upon this subject should be laid before the American people. Their heart is touched by the events of the last three years, and it is well that their sensibility should have the support of their reason, enlightened by the truth, that they may not be the victims of every newspaper paragraph which venal partisans of the cause of legitimacy in Europe may have the art to insinuate into the current periodicals; and which presume upon the common ignorance in this country, of the details of European history, that comes to us at best only through books written more or less in the spirit of monarchy. A history of Europe written from the republican point of view, a history of nations and not of their governors, is the desideratum for the people of these United States. But such a work requires both genius and integrity of soul to conceive, and a vast industry properly to execute, the discovery of the exact truth being infinitely the greatest part of the labor required. We may only avail ourselves at this moment of such history as is written, and if something of the force of the statement is lost by the fragmentary nature of our work, on the other hand something will be gained to the argument from the consideration, that the passages brought as witnesses were not written primarily to serve the object to which we direct them. They are largely taken from conservative writings. Archdeacon Coxe gathered his materials in Vienna, and himself states that "to this family Europe owes its preservation," and that it has "formed the great bulwark of political freedom!" To the tissue of violence

and rapacity which forms the life of each successive head of the family, he always appends an EULOGY, sometimes ludicrously in contrast with the facts he has related, but which is presumptive evidence that he would not make those facts worse than they were. From the first chapter of his History of the House of Austria we extract the origin of the family, with a memoir which elucidates the personal character of the author of the letter to the pope, quoted above. We abridge all we extract by making as many omissions as possible; but the exploring of the sources from which we make our extracts will show that the omissions in no instance falsify the facts related. We purposely leave out the false coloring which the author's own remarks sometimes give to these facts, together with the numerous episodes which make the narrative heavy, and weaken the moral impression of it, by scattering and wearying the attention.

Ethico, Duke of Alsace in the seventh century, and Guntram, Count of Alsace and Brisgau in the tenth century, were the most important ancestors of the House of Hapsburgh. Guntram's grandson Werner, bishop of Strasburg, built the castle which gives name to the House, near Windisch, the site of the Roman colony, Vindonessa; and a nephew of his, likewise named Werner, took the title of Count of Hapsburgh in 1046. A Count of Hapsburgh, called Albert IV., went on a crusade in 1232, and died at Askalon in 1240. He was the father of the great founder of the imperial power of the family.

“Rodolph was born in 1218, probably at the ancient castle of Limburgh, or Limper in Brisgau, on the confines of Alsace, and was presented at the font by the Emperor Frederic II., to whose house he was distantly allied. Under the auspices of his warlike father he passed his youth in the court and camp of Frederic II., and was initiated at an early age in the use of arms. He was trained to wrestling and running, was skilled in horsemanship, excelled in throwing the javelin, and being endowed with great strength and vigor, gave eminent proofs of superiority over his companions in all military exercises.

“On the death of his father, Rodolph inherited only the Landgraviate of Upper Alsace, the Burgraviate of Rheinfelden, and in conjunction with his brothers, succeeded to the County of Hapsburgh, the inhabitants of which being free, were exempted from arbitrary taxes; to some scattered domains in Suabia and Brisgau; and the advocacies or prefectureships of

a few of the neighboring towns and districts. Though in possession of such confined territories, Rodolph followed the example of the German princes, who considered peace as inglorious, *and sought to aggrandise their fortunes by pillage or conquest.* He maintained a splendid establishment, formed a chosen band of troops, collected adventurers from all nations, more than his scanty revenues would support; and eager to signalise himself in arms, gave full scope to his enterprising genius. For some time he found no respite from war; he was either engaged in protecting the surrounding states from the incursions of banditti and depredations of the powerful barons, or *under various pretences invading the possessions of others,* and defending his own property from the encroachments of ambitious neighbours.

“The first of his exploits in his native country was in 1242, against Hugh of Tuffenstein, a young baron, who had provoked his resentment by contumelious expressions. Rodolph invested a fortress of considerable strength belonging to his adversary, and having failed in attempting to take it by storm, obtained entrance *by bribing the sentinels,* and made himself master of the place, notwithstanding the desperate valour of Hugh, who was killed in the defence.

“He next turned his arms against his uncle and guardian Rodolph of Lauffenburg, whom he accused of embezzling a part of his patrimony. He found, however, an intrepid and enterprising opponent in his cousin Godfrey, the son of Rodolph: and after carrying havoc into each other’s territories, the two relatives effected a reconciliation, by which Rodolph obtained some compensation for his demands. This accommodation was succeeded by an intimate friendship between the two youthful heroes, who in this short contest had learned to admire and emulate each other.

“We next find Rodolph engaged in hostilities with his uncle Hartman, count of Kyburgh. The dominions of the House of Kyburgh were at this time jointly possessed by Hartman the elder, second son of Ulric, and his nephew Hartman the younger. In order to find resources for the pay of his retainers, Rodolph had obtained from his uncle a sum of money as the arrears of his mother’s portion. Encouraged by the facility with which he succeeded in this demand, and pressed by his necessities, he made further exactions, and at length claimed a

considerable part of the territories belonging to the two Hartmans. This claim being rejected he instantly invaded, in 1244, the dominions of Hartman the elder, occupied Baden, Winterthur, and Mersburgh, extorted a considerable largess as the price of their restoration, and a promise, that should his uncle and cousin die without issue male, the possessions of the House of Kyburgh should revert to him. *By this violence* he indeed obtained a sum of money for his immediate necessities; but forfeited the affections of his uncle, and nearly lost the territories which he was entitled to inherit; for Hartman, with the consent of his nephew, transferred to the bishop of Strasburgh the counties of Baden, Lentzburgh, and Kyburgh, and received them in return for himself and his nephew as fiefs of the see.

“The chronicles, which detail his minutest actions, scarcely again mention him till the year 1253, when he, engaged with other nobles of the Imperial or Ghibeline party against Bertold, bishop of Basle, *penetrated into the suburbs of the city by night, and burnt a nunnery*, for which he was excommunicated by Pope Innocent IV. It was probably to obtain the revocation of this sentence, that we find him serving under Ottocar, king of Bohemia, against the Prussians, a (Slavonian) people then in a state of paganism, *who were defending their liberties*, in opposition to the Teutonic knights, and against whom the pope had published a crusade. He afterwards assisted Ottocar in his war with Bela, king of Hungary; and perhaps had a share in the complete victory which insured to the king of Bohemia the possession of Austria and Styria, and confined Bela within the limits of Hungary.

“On his return to his native country he was involved in a series of wars in Alsace and Switzerland. Finding the bishop and citizens of Strasburgh in open hostilities against each other, he assisted the bishop, signalised himself by his valour and activity, and *compelled the citizens* to conclude a truce. At the same time he effected a reconciliation with his uncle Hartman, who, pleased with his change of conduct, and struck with his rising fame, endeavoured to recover from the bishop of Strasburgh the deed of donation which he had made of his territories. Rodolph urged the same request to the bishop during the truce, recapitulated his services, and tendered his future assistance; but meeting with a refusal, he replied, “Since you pay no regard to the greatest services, and seem inclined rather to offend

than conciliate your friends, Rodolph of Hapsburgh, instead of your ally, is become your most inveterate enemy." Laying his hand on his sword, he added, "While I am master of this weapon, neither you nor any other person shall wrest from me those dominions, which I am to inherit by right of my mother; and since, in contradiction to every principle of justice, you grasp at the possessions of others, know that you shall shortly lose your own." Nor was this threat uttered in vain; for in 1259 the citizens of Strasburgh, availing themselves of the breach, requested Rodolph to accept the supremacy of their city, and the command of their troops. He joyfully received this well-timed offer, and repairing to take possession of his new charge, the inhabitants went out in crowds to meet their deliverer, hailed him as a person sent by heaven, and considered his presence as a sure omen of victory.

"By espousing the cause of the citizens, Rodolph acted with *equal prudence and judgment*. The citizens in those days were mostly soldiers, accustomed to defend their liberties against the vexations of their own nobles, and of the neighboring barons. They were animated with an undaunted spirit; from the nature of their governments, they were more subject to control, and more obedient to military order than the lawless retainers of the nobles; and their industry and commerce supplied the means of supporting the burdens of war. From their instruction in public schools, and from the force of example, their minds were more enlightened, their comprehension keener, and they were more calculated for those ambuscades, feints, and stratagems, of which the art of war at that time principally consisted. Rodolph, in the character of their captain, general, or advocate, won their confidence and esteem. *Assisted by their spirit, and supported by their riches, he was enabled to humble the rivals of his power.*

"Among others the citizens of Zurich, in 1265, chose him as their prefect, and invested him with the command of their troops; and this appointment involved him in a war with the count of Regensberg, and a formidable confederacy of the neighboring barons, *which highly contributed to his subsequent greatness.*

"During the troubles of the interregnum in the German empire, the burghers of Zurich, which was an imperial city, had gradually acquired considerable privileges, and began to assume

the administration of their own affairs. In order to strengthen themselves against the power of the nobles, they contracted alliances with the sister republics, and endeavored to secure a protector among their neighboring princes. For this purpose they despatched an embassy to Lutold, baron of Regensberg, whose territories almost surrounded Zurich, and extended along the eastern shore of the lake, as far as Rapperschwyl. Lutold answered the messengers with scorn: 'Tell your citizens that Zurich is surrounded by my subjects as a fish in a net; let the inhabitants surrender themselves to me, and I will govern them with mildness.' In this strait the citizens turned to Rodolph of Hapsburgh, who accepted their offer, repaired to Zurich, and assumed the command. Undaunted by the confederacy which Lutold had formed with the count of Tockenburgh, and other neighboring barons, he placed his hopes of success in celerity and decision. He collected his own troops and those of Zurich; drew assistance from the cities of Alsace, and the circle of the Lower Rhine; summoned to his standard the mountaineers of Uri, Schwyz, and Underwalden, and marched against the enemy."

We omit the details of his success in this instance, and of his surprising the castles of Balder, and of Utleberg.

"After a series of similar stratagems, sieges, and other engagements, his arms were crowned with repeated successes; and the confederate barons, struck with terror, exclaimed, 'All opposition is fruitless! Rodolph is invincible!'

It was when Rodolph was engaged in a war, growing out of his possession of Kyburgh, whose details we omit, that having retired to his tent, he was awakened at midnight by his nephew Frederic of Hohenzollern, burgrave of Nuremberg, with the intelligence that he was unanimously chosen King of the Romans by the electors of Germany. In the first moments of surprise, Rodolph could not give credit to this unexpected intelligence; and even expressed his indignation against the burgrave for attempting to deceive and insult him. "Convinced, however, by his solemn protestations, and by letters from the electors, he recovered from his surprise, and *joyfully accepted the proffered dignity*. The news of his election being quickly disseminated, the citizens of Basle opened their gates, notwithstanding the remonstrances of the bishop. 'We have taken arms,' they said, 'against Rodolph, Count of Hapsburgh, and not against the King of the Romans.' The bishop acceded to terms of

peace, the prisoners on both sides were released, and Rodolph's followers admitted in triumph. The new sovereign was received amidst general acclamations; the citizens took the oath of fidelity, and presented him with a considerable largess towards defraying the expenses of his coronation. The bishop, chagrined at the success and elevation of his rival, struck his forehead with vexation, and profanely exclaimed, "Sit fast, great God, or Rodolph will occupy thy throne!"

We omit the account which Coxe gives of the general state of Germany as aside from our purpose. He proceeds to tell us that in an unfavorable aspect of affairs, the electors met at Frankfort in September 1273, and two candidates presented themselves, Alphonso King of Castile, and Ottocar King of Bohemia; but, contrary to all expectation, the nomination fell on Rodolph, Count of Hapsburgh.

"Many circumstances contributed to favor his advancement, among which the most effectual were the views and interests of the seven electors, by whom the right of nomination was at this time assumed; namely, the Archbishops of Mentz, Cologne, and Treves, the King of Bohemia, Otho Margrave of Brandenburg, Albert Duke of Saxony, and Louis Duke of Bavaria and Count Palatine, who seems to have possessed a joint vote with his brother Henry. Of these, the most strenuous in the cause of Rodolph was Werner of Eppenstein, Elector of Mentz. On his nomination to the archiepiscopal see of Mentz, Werner had repaired to Rome, in order to receive the confirmation of his office, and the pallium from the hands of the Pope; and as the road was infested with banditti, he was escorted by Rodolph himself across the Alps, and treated on his return with equal cordiality and magnificence. Werner, captivated by his attentions, character, and talents, expressed a wish that he might live to repay the obligation. Such an opportunity now presented itself, and Werner used all his influence to secure the nomination of Rodolph. He secretly gained the Electors of Cologne and Treves; and found means to influence the secular Electors, by the prospect of a matrimonial alliance with their future chief, who had six daughters unmarried. His intrigues and recommendation were strongly supported by Frederic of Hohenzollern, the friend and relation of Rodolph, who had great influence with the secular electors, contributed to remove all obstacles, and concluded the negotiation in his name.

“ The peculiar situation of Louis the Severe, Duke of Bavaria, induced him to accept the hand of Matilda, eldest daughter of Rodolph. He had espoused Mary, princess of Brabant, and on a vague suspicion of infidelity had put her to death. Although he had received absolution from Pope Alexander IV., on condition of founding a convent of Chartreux, yet discontents still prevailing among the Bavarian nobles, who were convinced of Mary’s innocence, rendered him apprehensive of the interference of a future emperor. For this reason he received with joy the proposal of Matilda in marriage; and agreed to support the nomination of a prince, whose interests would be thus strongly connected with his own. Two of the other secular Electors, Albert of Saxony and Otho of Brandenburgh, were likewise gained by the hope of espousing Agnes and Hedwig.

“ The character and situation of the Count of Hapsburgh were admirably suited for the emergency, and to the views of the Electors, who desired an emperor, but dreaded a master. His great civil and military talents rendered him a fit person to direct the reins of government, while from the comparatively small extent of his possessions, he was not deemed sufficiently powerful to wrest from the Electors those fiefs which they had appropriated during the troubles of the empire, or to rule Germany with the same despotic sway as the great chiefs of the Houses of Franconia and Suabia.

“ Werner having succeeded in obtaining six voices, artfully proposed that the princes should abide by the nomination of Louis of Bavaria. He either gained the consent of the Bohemian ambassadors to this compromise, by insinuating that the choice would fall on Ottocar, or prevailed on the other Electors to reject his vote, and to allow two voices to the Bavarian princes. Louis accordingly nominated Rodolph of Hapsburgh; the protests and remonstrances of the Bohemian ambassadors were disregarded, and the election of Rodolph declared unanimous by the concurrence of the seven Electors. The new King of the Romans was inaugurated at Aix-la-Chapelle, with the ancient crown of Charlemagne; and the ceremony was followed by the marriage of his two daughters, Matilda and Agnes, with Louis of Bavaria and Albert Duke of Saxony, which increased his weight and influence, and secured to him the assistance of those powerful princes.

“His situation was full of difficulty and danger. He was threatened with the vengeance of his disappointed rival Ottocar, and he was opposed by the Anti-Cæsar, Alphonso of Castile; both of whom refused to acknowledge his election, and sent ambassadors with large presents, to obtain the countenance of the Pope. Fully sensible therefore of the perils with which he was surrounded, Rodolph did not rely on the unanimity of his election, nor on his coronation at Aix-la-Chapelle; but turned his first and principal attention to secure the ratification of the reigning pontiff. It was on this occasion he wrote the letter to Gregory X. already quoted.

“The ambassadors of Rodolph were received with complacency by the Pope, and obtained his sanction by agreeing in the name of their master to the same conditions which Otho IV. and Frederic II. had sworn to observe, *i. e.*, by confirming all the donations of the emperors, his predecessors, to the papal see; by promising to accept no office or dignity in any of the papal territories, particularly in the city of Rome, without the consent of the Pope; by agreeing not to disturb, nor permit the house of Anjou to be disturbed in the possession of Naples and Sicily, which they held as fiefs from the Roman see; and by engaging to undertake in person a crusade against the infidels. In consequence of these concessions, Gregory gave the new King of the Romans his most cordial support, refused to listen to the overtures of Ottocar, and after much difficulty finally succeeded in persuading Alphonso to renounce his pretensions to the Imperial dignity.”

The foregoing extract is a commentary on the letter to the Pope first quoted. We must now proceed to illustrate the career of Rodolph and his successors, as *Emperors*, in order to show how the system of rapine which had marked his private action, became the rule thereafter, in spite of the prayers which he craved from the Pope, that the most High *should lead him in the ways of His commandments, to successfully perform what is most acceptable to Him!*

And here we must draw a distinction. Rodolph contended in the spirit of rapine with other kings animated by the same spirit, and his successors do the same. We do not care to examine all these struggles of selfishness with selfishness. What we wish to select from history, is the contest of these rulers with the liberty and welfare of *the nations*, the posses-

sion of which was the subject matter of dispute. It is impossible by means of any history yet written, or indeed for any thing short of the imagination of a humane heart, to conceive all the sufferings and oppressions and injustice done to the people, whose territories were the theatres of these struggles, whose laboriously acquired property supported the combatants, and who themselves were constrained to become combatants in battles where even victory brought them no benefits. We shall especially dwell upon the direct invasion of the Constitutions and natural rights of nations, and the most salient calamities inflicted in these ever renewing wars of selfish ambition.

Rodolph's first contest was with Ottocar, king of Bohemia, his old friend, but who had been a rival for the imperial crown, and now refused to accept Rodolph as Emperor.

Ottocar was then the most powerful prince of Europe. "For his dominions extended from the confines of Bavaria to Raab in Hungary, and from the Adriatic to the shores of the Baltic." He had himself acquired Styria, Austria, Carniola, and Carinthia. He had also the alliance of Henry of Bavaria.

But Rodolph was not daunted by Ottocar's power. He began upon Henry of Bavaria, and forcing him to renounce his alliance with Ottocar, attached him to himself by giving his daughter Hedwig to Otho, son of Henry, promising a part of Upper Austria for her portion. He then conquered Austria, while he employed Meinhard of Tyrol to conquer Styria and Carinthia, and ended with himself laying siege to Vienna. The result of all in the end was nothing less than that Ottocar renounced all his claims to Austria, Styria, Carinthia, Carniola, and Windischmark, and delivered up to the king of Hungary all the places he had formerly wrested from him with Rodolph's own assistance, doing homage to Rodolph, kneeling, for Bohemia and Moravia, of which he obtained from him the investiture.

Immediately after this Rodolph established his own family in the Austrian dominions, by persuading the Archbishop of Saltzburgh and the bishops of Passau, Freysinger, and Bamberg, to confer on his sons, Albert, Hartman, and Rodolph, the ecclesiastical fiefs held by the duke of Austria.

"In order to reward his retainers," says Coxe, "*he was compelled to lay considerable impositions on his new subjects, and to obtain free gifts from the bishops and clergy; and the dis-*

contents arising from this, probably induced Ottocar to attempt the recovery of the territories which he had lost. So desperate did Rodolph then find his affairs, and so little had he gained of real power, or made his allies and new people feel that their interests were identified with his success, that he frequently exclaimed, says Coxe, "that there was not one in whom he could confide, or on whose advice he could depend," and, in the words of a contemporary chronicle, "all his family ran to confessors, arranged their affairs, forgave their enemies, and received the communion."

In these desperate circumstances he roused himself to conciliate the city of Vienna by declaring it an imperial city, and then, with the assistance of the king of Hungary, at the battle of Marchfield, defeated Ottocar, who was taken prisoner and killed in cold blood, (not, however, by the hand or with the consent of Rodolph). A peace ensued, for Rodolph was afraid to retain the Hungarian army in his dominions, and he could not fight without it. He obtained Moravia for five years by the treaty of peace ; his son-in-law Otho became regent for the infant son of Ottocar, while his son Rodolph married the Bohemian princess Agnes, and his two daughters were affianced to the young king of Bohemia, and to Otho the Less. After this, some time was spent in transferring the Austrian territories to his family, in which operation he found many difficulties ; but at length he succeeded, and with the consent of the States of Austria, declared that duchy and Styria an indivisible domain, and vested its sole administration in his son Albert.

But even before the second war with Ottocar was over, we find Rodolph in Italy. He had indeed yielded to the conditions made by Pope Gregory X. not to interfere with the house of Anjou in Naples, or to claim any authority over the papal territories ; but in less than two years after Gregory's death, he attempted the revival of the imperial authority in Italy. The decided action of Nicholas III. who threatened him with excommunication, induced him, however, to give up this enterprise ; and to reward his compliance, Nicholas induced Charles, King of Naples, to resign the vicariate of Tuscany to Rodolph, receiving in exchange the investiture of Provence and Toucalquier *as fiefs of the EMPIRE*, for which acts of homage Rodolph, on the other hand, affianced his daughter Clementia to Charles Martel of Naples. But, after all, Rodolph could not revive the imperial

authority in Tuscany, on account of the secret action of Naples, and not being sure of success, he with great judgment let the matter rest, “and indemnified himself,” says Coxe, “by drawing considerable sums from Lucca and other cities, for the confirmation and extension of their privileges;” thus making them pay for retaining their own rights.

The rest of Rodolph’s life was taken up in what Coxe calls “establishing the internal tranquillity of the empire,” for which he is much lauded: for, in doing this, he put down the power of many oppressive barons. At one time “he condemned to death nine and twenty nobles of the most illustrious families in Thuringia, who had broken the public peace; and he razed in one year seventy castles and strongholds, the habitation of banditti, or of powerful nobles worse than banditti.” He was also “zealous to wrest from the princes those fiefs which they had appropriated during the troubles of the war.” Coxe gives an account of these expeditions, and the circumstances of each particular case. We extract one paragraph, which seems to indicate that, in all this action for the “tranquillity of the empire,” Rodolph was animated by something else than the pure motive of saving the people from the exactions of the barons.

“With the view of extending his influence in Switzerland, Rodolph endeavored to gain possession of Berne, which was built by the dukes of Zæringen, but was afterwards declared an imperial city, and during the interregnum had obtained the protection of the house of Savoy. Under the pretext that the Bernese had assisted the house of Savoy, and oppressed the Jews who were fiscals of the empire, he led, in 1288, an army of 30,000 men against the city. But this great man, who had humbled the pride of Ottocar, and depressed the powerful house of Savoy and Burgundy, was foiled by the firmness and spirit of this rising republic; and after an ineffectual attempt to set fire to the town, he relinquished his enterprise. Another expedition in the following year under his son Albert, though made with the utmost secrecy and address, was equally frustrated; and his aggrandisement was alone effectually checked by a petty republic, on the borders of his own territories.”

The settling of the affairs of Bohemia, which had become intolerable through the mal-administration of Otho, the regent whom Rodolph had appointed, seems to have been for the advantage of Bohemia, or at least of its king; who became his

tracted at that time (1290) by the contest for the throne of Charles Martel with Ladislaus, proposed nothing better for Hungary than his conferring the investiture of it, *as a fief of the empire*, upon his son Albert! This, it is true, resulted in nothing, as Albert was too much occupied in settling the dissensions in his own dominions, to make good his claims (*if claims* they could be called); and Andrew III. maintained himself on the throne of his grandfather, to which the Hungarians had called him.

It was in vain that Rodolph, when he saw his end approaching, assembled the German Diet, to choose his son Albert Emperor. He died on the 15th of July, 1291, with this purpose unfulfilled; having been himself Emperor nineteen years. Coxe calls his reign glorious, and closes his memoir of him with a description of his person, and anecdotes to illustrate his chivalric character.

It may readily be conceded that Rodolph had the noble qualities and manners possible to his position and circumstances. But we have given his life to be judged by another standard than that usually applied to measure princes; a standard, however, that *his own pretensions of serving God and His Church** make an equitable one. The House of Hapsburgh can show nothing better than the life and actions of Rodolph, its founder, on which to ground its pretensions of divine right. Does mankind admit the *legitimacy* of the claim? Does the God of humanity admit it?

At the time of the death of Rodolph, Albert, his son, was engaged in quelling an insurrection in Austria, which he had provoked, says Coxe, "by his stern and unconciliating manners," and by arbitrarily conferring the principal offices of state, and the richest heiresses in the country, upon his Suabian followers, rather than upon the magnates of Austria and Styria. The details of the contest it is not worth while to relate. The end was, that he besieged Vienna, and reduced the inhabitants by

* For the theory of the Catholic Church, whatever may be its practice, is that all men are born into it. It asserts a right over every child who sees the light where it is acknowledged: consequently he who bound himself to serve the Church at that time bound himself to serve humanity, at least within the precincts over which the Church extended its authority. For three hundred years after this time the people of Europe was considered to be *The Church*.

famine "to propose a surrender, when he accepted their submission." We always quote the words of Coxe:—" *He commanded the principal magistrates to repair bareheaded and barefooted to his camp with their charters, tore them in pieces with his own hands, and abrogated all those privileges which he deemed injurious to his authority.*" He then reduced the nobles to obedience by means of the military succour he received from Alsace and Suabia. Immediately afterwards he put down an insurrection in Styria, by similar means and with similar success. Albert was, however, disappointed of the imperial crown. "His splendid talents, powerful connections, and affinity to four of the electors, seemed to insure the possession of it; but his arrogance and rapacity, his unconciliating manners and despotic temper, had alienated some of the electors, while his power excited the jealousy and alarmed the apprehension of all."

On the election of Adolphus of Nassau he was however prudent. The disappointment disciplined his pride to his advantage, and it was by means of the wisdom with which he then acted for his own future interests rather than from his present angry passions that he was enabled to take advantage of the faults and mistakes of Adolphus, and form a confederacy of the Electors against him, by which that Emperor was finally ruined. On the death of Adolphus, Albert was elected. In the meanwhile he had subdued the first confederacy formed against him by the Helvetian Republics. The details of this war is a tissue of violence and cruelty,* which was only interrupted by the general amnesty proclaimed by Adolphus, and which Albert was too prudent to openly defy, surrounded as he then was by enemies within and without, who would easily have been encouraged to combine against him.

The history of Albert next details the beginning of an intrigue made against Pope Boniface VIII., who had not confirmed his election to the Empire. This was an alliance with Philip the Handsome, of France, with whom Boniface was at variance. On his return from the journey Albert made to France, at this time, 1299, to negotiate this alliance, and confirm it by affiancing his son Rodolph to Philip's sister Blanche, he was induced, by the death of the Count of Holland, to turn

* The legend of WILLIAM TELL gives the spirit of the whole.

aside and lead an army against the Low Countries, to make good a claim which he laid to the counties of Holland, Zealand, and Friesland, that really belonged to John de Avesdes. But the inveterate enmity of the Pope, and the rising discontents of the Electors of the Rhine, called him to save his authority in the Empire. He therefore, being defeated by John de Avesdes, concluded an accommodation, and invested him with the territories in dispute.

The promptness and energy with which he reduced the Electors of the Rhine opened the way to a reconciliation with the Pope, who had asserted that there was no other sovereign or King of the Romans but the sovereign pontiff of Christendom. It is true Boniface at first not only refused to confirm Albert's authority, but inveighed against him as the murderer of Adolphus, and released the electors, vassals, and subjects of the Empire from their oath of allegiance; yet finding himself foiled in his attempt to shake the authority of the King of France, he changed his policy, to detach Albert from Philip, by making overtures that Albert was glad to meet. In short his Boniface removed, by a sovereign act, all the irregularities of election, and declared him a faithful son of the Church; while Albert acknowledged on his side that the right of the electors to choose an emperor was derived from the See of Rome; and bound himself, by oath, to defend the supremacy of the Church against all the world; to oppose its enemies, whether kings or emperors; to renounce the alliances which he had contracted with powers inimical to the Holy See, and to declare war against them at the orders of Boniface or his successors. Boniface even excommunicated the King of France, and gave his crown to Albert! We do not know to what lengths the Pope would have induced the emperor to go against Philip, to make good this gift, but the latter prevented any movement by seizing Boniface violently, and treating him so harshly that he died.

Albert was now obliged to turn his attention to matters nearer home than the crown of France. There had long been causes of misunderstanding with Wenceslaus, King of Bohemia, who in 1300 was elected King of Poland, where he had previous claims on the duchies of Cracow and Sandomir by the gift of Griffina, widow of the late duke Lesko. As his first wife, Albert's sister, was dead, he married the daughter of Pre-

mislaus II. of Poland, who had died in 1296. Hardly had he obtained this new throne than his son Wenceslaus was chosen King of Hungary, over Charobert, who had been invested with that kingdom by Pope Boniface VIII. as a fief of the Roman see; an interference strongly resented by the Hungarians. Boniface had thundered a bull of excommunication against the Hungarians on this occasion; but it being despised, and his legate expelled, he called on Albert to support Charobert's cause, who was also his own nephew. Albert eagerly listened to these overtures, and laid Wenceslaus under the ban of the empire, seconding the act by arms. The death of Wenceslaus II. and the accession of his inexperienced and feeble son, enabled Albert to arrange this affair in his own way; and in a few years, the death of Wenceslaus III. without issue, awakened in him new aspirations for power, and he prepared to transfer the crown of Bohemia into his own family.

“Like many other kingdoms of Europe, at that period, Bohemia was considered as an elective monarchy, though the crown was always continued in the same line, and the eldest son was chosen or confirmed during the lifetime of the father. Wenceslaus being the last male of the ancient dynasty, the throne was open to different pretenders. Henry of Carinthia became a candidate in virtue of his marriage with Anne, eldest sister of the deceased monarch; but Albert claimed the disposal of the crown, both as a fief of the empire, and in virtue of the compact between Rodolph and Wenceslaus II., which entailed Bohemia on the Austrian family, in default of issue male. He accordingly proposed his eldest son Rodolph, who strengthened his claims by promising to expouse Elizabeth*, widow of Wenceslaus II., and was supported by a powerful party of the nobles.

“The States assembled at Prague, and the votes were divided between Henry of Carinthia, and Rodolph of Austria. The sisters of the late king came barefooted into the assembly, and supplicated with tears for Henry of Carinthia; but their entreaties were disregarded, and Rodolph was chosen on the 1st of April, 1306. Accompanied by his father, and at the head of a considerable force, he entered Prague in triumph, and fulfilled his promise of marrying the widowed queen. At the same time Albert obtained the formal renewal of the compact, which seemed to insure the succession of his own family.

* Blanch, the first wife of Rodolph, died in April, 1305.

“A mild and moderate system of conduct would have conciliated the natives, and fulfilled the accomplishment of his wishes, but such a conduct was not consonant to the character of Albert. By his influence Rodolph, though naturally mild and amiable, imposed heavy taxes on his subjects, disregarded their prejudices and customs, stripped the churches of their costly ornaments, and prosecuted the bishop of Prague, who remonstrated against this sacrilege. A large party of nobles broke into open revolt, the spirit of discontent spread with rapidity, and the whole nation seemed eager to take up arms against the Austrian despotism. To quell these commotions, Rodolph collected an army; but while he was besieging the fortress of Horazdovitz, he was hurried to the grave by a dysentery, in July, 1307, at the age of twenty-two, and before he had completed the first year of a precarious and disputed sovereignty.

“On this event, Frederic, the second son of Albert, was proposed to the states, who met in the episcopal palace of Prague. When Tobias of Bechnia, a nobleman of high rank, named Frederic of Austria, the assembly exclaimed, “We will have no Austrian king!” Bechnia tauntingly observing, “You will perhaps again choose a peasant from the village of Staditz, and marry him to the widowed queen,” a tumult arose; the most violent drew their sabres; Bechnia, with two others of the Austrian party were massacred, and Henry of Carinthia raised to the throne by unanimous acclamation.

“The haughty spirit of Albert, affected with the loss of Bohemia, was still more deeply wounded by the contemptuous rejection of his son. He accordingly asserted his claims in arms, and accompanied by Frederic, whom he declared King of Bohemia, led a powerful body of troops from Germany into the kingdom, and laid siege to Kuttenberg and Colin. But the approach of winter, the desultory attacks of the Bohemian forces, the obstinate resistance of the garrisons, and the severity of the season, at length compelled him to retire. He did not, however relinquish his object, but placing garrisons in Königsgratz, and other fortified towns, which had been yielded to him by Elizabeth, drew his troops into Austria, and determined to return in spring with a still more powerful army.

“Albert had availed himself of the short interval during which his son held quiet possession of Bohemia, to support the pretensions of his nephew Charles of Naples, in opposition to Otho

of Bavaria, who was lineally descended from Bela IV., and had been raised to the throne of Hungary by the anti-papal party in 1306. He entered Hungary with a considerable army, but did little more than devastate the country, till he was called to defend his own territories against an irruption of the Hungarians.

“He likewise engaged in a war for the possession of Misnia and Thuringia, which he endeavoured to appropriate as fiefs of the empire.

“But at this juncture the insurrection of the Swiss called his attention to another quarter.

“Helvetia, or, as it is now called, Switzerland, at this period was divided into small sovereignties and baronial fiefs, the imperial cities of Zurich, Berne, Basle, and Schaffhausen, the demesnes of the church, and the small states or cantons of Schywz, Uri, and Underwalden, which, though dependent on the empire, enjoyed a democratic form of government. Among the sovereigns, the most conspicuous were the counts of Savoy, and the house of Hapsburgh, which had considerably increased in power and territory by the elevation of Rodolph and Albert, who, as chiefs of the empire, possessed the right of appointing bailiffs in the imperial cities and districts, for the purpose of administering the criminal jurisdiction.

“At the suggestion of Albert, Rodolph seems to have formed the design of acquiring the sovereignty of the ecclesiastical and baronial territories, and having thus encompassed the free cities and democratic states, either to obtain their voluntary submission, or compel the refractory to acknowledge his authority. In consequence of this design, Rodolph made considerable purchases, particularly of Friburgh from the house of Kyburg, and of the town of Lucern from the abbey of Murbach, with the seignorial rights in several villages of the district of Schywz. These acquisitions excited jealousies and discontent among the natives of Uri, Schwyz, and Underwalden, and gave birth to an association by which they bound themselves not to submit to foreign jurisdiction. The temperate spirit of Rodolph yielded to the opposition of a people so jealous of their liberties, and from whom he had received such essential services; he accordingly quieted their apprehensions by a solemn confirmation of their privileges, as head of the empire, and this act was confirmed by Adolphus.

Soon after the death of Rodolph, Albert manifested his intention of appropriating or subjugating the free districts of Helvetia. The natives of Uri, Schwyz, and Unterwalden, justly apprehensive of his rapacious character and powerful resources, held a general assembly to renew their confederacy, and assert their independence. They also espoused the cause of Adolphus, and assisted him with a small but chosen body of their bravest troops. On the death of Adolphus, and the election of Albert, a general panic spread through all the people of the Alps; and their alarms were increased by the declaration of Albert to their deputies, who requested him, as chief of the empire, to confirm their privileges, that he intended to propose an alteration in their government.

"Before, however, he attempted to subjugate these brave and spirited people, he increased his influence and acquisitions in Switzerland. He pacified the citizens of Zurich by confirming their privileges, obtained the advocacies of the abbeys of St. Gallen and Einsidlin, demolished the castles of the petty lords in the district of Glarus, who had adhered to Adolphus, and by purchase and intrigue, acquired the supreme authority in various parts, from the lake of Thun, to the heart of the country inhabited by the Grisons. Having thus nearly surrounded the Swiss by his extensive domains, he summoned them to submit to his authority. His haughty spirit was little affected by the simple answer of these free mountaineers: "We are partial to the condition of our forefathers, and only desire the confirmation of our privileges." He disdained to listen to their remonstrances, and placed over them governors, whose tyrannical and capricious administration at length roused the natives to assert their injured rights.

"Under the auspices of three patriots, Fürst, Melchthal, and Stauffacher, the plan of a general insurrection was secretly formed, and the revolution, which gave liberty to Switzerland burst forth in Uri, Schweitz, and Unterwalden, on the 13th of January, 1308. The governors were expelled, their castles seized, and the whole people rose, as with one accord, to defy the power of the house of Austria, and of the head of the empire.

"Albert, confident of his superior force, rejoiced at this insurrection as affording a pretext for subjugating the natives of a territory which he had long coveted, postponed the intended invasion of Bohemia and Thuringia, and was preparing to lead

an army into Switzerland, when his life and reign were closed by the hand of violence."

The Austrian princes, Frederic and Leopold, were unquestionably disappointed at the election of Henry of Luxembourg to the imperial throne, instead of one of themselves; but, after some intrigues, they concluded to accept quietly from him the investiture of their hereditary dominions, and Leopold faithfully served the Emperor in Italy and elsewhere. At his death there was a contested election, and both Frederic of Austria and Louis of Bavaria were chosen. In the wars that ensued between these rivals, Switzerland was again invaded by Leopold, who commenced hostilities against the three Swiss cantons, who had espoused the Bavarian party.

"Leopold seized the pretext of a dispute between the convent of Einsidlin, of which he was advocate, and the natives of Schwyz, who had surrounded the abbey, and seized four of the canons and the schoolmaster, in revenge for an insult on some Swiss pilgrims. He considered the reduction of this country as an easy task, and vain of his military skill and superior force, boasted that he would trample the audacious rustics under his feet. He assembled 20,000 men, and hastened to put his threat in execution; 4,000 on the side of Oberhasli were to pass by Mount Brunig into Unterwalden; a body of 1000 from Lucern was to make a diversion by Stantz, and he himself intended to march from Zug with 15,000, and penetrate to Schwyz.

"The northern inlets of the country being fortified with strong entrenchments and towers, only two passages led towards Schwyz. The first was the pass of Art, along the foot of the crags which border the lake of Zug, impracticable for armed cavalry; the other led through the straits of Morgarten, about three miles in length, between the lake Egeri and the heights rising above the village of Morgarten, from which it derives its name.

"The Swiss, hardy and brave from their modes of life and forms of government, disdained to submit to a foreign power, and beheld the gathering of the storm without dismay, though with the interest due to the importance of the cause in which they were engaged. Fourteen hundred men, the flower of their youth, grasped their arms and assembled at the town of Schwyz. A solemn fast being proclaimed, they passed the day

in religious exercises and chanting hymns and kneeling down in the open air, petitioned "the God of heaven and earth to listen to their lowly prayers, and humble the pride and arrogance of their enemies." By the advice of an experienced veteran they took post on the heights of Morgarten, and with the same spirit which had animated the Greeks at the strait of Thermopylæ, waited the approach of the enemy. Fifty outlaws also, who had been expelled from Schwyz, petitioned the magistrates that they might share the danger of the day with their countrymen; and, though rejected, occupied an eminence commanding the entrance of the pass.

"At the dawn of the morning (November 16.) the Austrians were seen advancing in all the pomp of war, and flushed with the hope of certain conquest. The cavalry, on whom the warriors of that day placed their principal reliance, armed from head to foot, led the way, and were followed by the infantry in a compact body. When they began to fill the strait, and stretch along the borders of the lake, the fifty exiles raised a sudden shout, and hurled among them huge blocks of timber, heaps of stones, and fragments of rock. This unexpected assault threw the column into confusion; and the confederates perceiving the impression, rushed down from the heights, and charged the enemy in close array with their clubs, halberts, and pikes. Cramped by the narrowness of the defile, the Austrians were unable to make any evolution, and their embarrassment was increased by the effects of a hoar frost. Many of the horse leaped into the lake, and the remainder recoiled on their infantry, who, unaware of the attack, and unable to open their files, were run over, dispersed, or trampled to death; numbers were driven into the lake, crushed by their companions, or fell by the hands of an enraged enemy. Not less than fifteen hundred, most of whom were nobles or knights, were slain in the rout, and Leopold himself with difficulty escaped under the guidance of a peasant to Winterthur, where he arrived in the evening, gloomy, exhausted, and dismayed.

"At the close of evening the Unterwalders, apprised of the advance of the body from Lucern, embarked with a hundred Swiss on the lake, and landing at Buchs, attacked and dispersed the enemy. Notwithstanding the exertions of this arduous day, the victorious troops, joined by a few of their countrymen, hastened to Alpnach, where the four thousand had taken a strong

position. The Austrians, beholding the victorious banners of the Swiss, and hearing the shouts of exultation, were panic struck, and began to retreat; but were attacked by the confederates, and, notwithstanding the exertions of their commander, driven back in disorder over the mountains towards Lucern.

"The three cantons in a public assembly declared the anniversary of this day, 'in which the God of Hosts had visited his people, and given them the victory over their enemies,' a solemn festival, and ordered the names and heroic deeds of those champions, who had fallen in defence of their country, to be annually recited to the people. They also rendered perpetual their ancient league, which had hitherto been renewed every tenth year, and obtained a confirmation of their confederacy from the head of the empire."

We omit the rest of the history of these two brothers, on account of their too great complication with the interests of other princes, including the Pope, who pursued their objects with the same recklessness of the welfare of the countries which were the theatre of the disputes, that is the ever continued course of the House of Austria, and with no shadow of a better purpose than family aggrandisement, ever manifested by every one of them, whether in peace or war.

They both died before 1330, leaving their younger brothers, Albert II. and Otho, heads of the family, who immediately concluded peace with the Emperor Louis. Hardly was this effected before we find the brothers engaged in war for the succession of Carinthia and the Tyrol. Being invested with both by Louis, they took forcible possession of Carinthia, but were obliged to renounce the Tyrol, so effectually were they opposed by its nobles and magistrates.

"While Albert was thus on the whole extending his possessions, and consolidating his power on the side of Austria his paternal domains and influence in Switzerland were curtailed by the three petty republics of the Alps, who had already resisted the efforts and humbled the pride of his house.

"At the commencement of their administration, Albert, in conjunction with his brother Otho, had made considerable acquisitions in the neighborhood of the Rhine; they had obtained possession of Schaffhausen, Rheinfelden, and Brisach; and had purchased from the House of Lauffenburgh the feudal rights over the town and country of Rapperschwyl. By these ac-

quisitions, and by the extent of their paternal inheritance, the Austrian princes almost surrounded and isolated the three republics: they possessed nearly the whole of that part of the canton of Berne which is now called the Argau; they were masters of the Thurgau; they held the sovereignty of Zug and Lucern, including the Entlibuch, and the towns of Sempach and Reichensee; and, as advocates of the abbeys of Einsidlin and Seckingen, their authority was paramount in the district to the south of the lake of Zurich, and over the town and canton of Glarus.

“By the death of Otho, and of his two sons, who deceased in 1344, the whole possessions and power of the House of Austria devolved on Albert. But he was at first too much embarrassed in contests on the side of Austria and the empire to give the necessary attention to the affairs of Helvetia, where a concurrence of events had begun to diminish the authority of his family.

“Since the battle of Morgarten, the power and influence of the Swiss had increased with their success; and the spirit of that liberty which they had so courageously defended was diffused over the neighboring Alps, and among the towns and districts on the borders of Germany. The surrounding people were eager to obtain an exemption from feudal despotism; and panted for an equal participation of those rights which had raised the three democratic cantons to such reputation and prosperity. Lucern set the first example. In consequence of the unceasing disputes and contests between the Austrian feudatories and the confederated republics, Lucern was exposed to perpetual inroads; her commerce to Italy was interrupted, her fairs deserted, and her citizens, continually under arms, were unable to protect their territories from depredations, or their walls from insult. In these depressing circumstances the flower of her youth was summoned to the field under the Austrian standard, her citizens loaded with excessive contributions, and, the authority of the Austrian princes being supported by the nobles, the town was agitated with discordant factions. At length the majority of the burghers obtained from the emperor Louis the protection of the empire, and with his approbation concluded an armistice of twenty years with the Swiss cantons. The nobles applied to the baron of Ramschlag, the Austrian castellan of Rotenburgh, who advanced with a body of 300 horse to surprise

the town ; but this project being defeated by the vigilance and firmness of the burghers, many of the Austrian partisans retired, and the remaining inhabitants entered into an alliance with the Swiss cantons. In forming this alliance, however, both parties observed the most rigid dictates of justice, and confirmed all the rights and prerogatives of the House of Austria. Albert and Otho, failing in their attempts to recover Lucern by intrigue or arms, took advantage of their reconciliation with Louis, and solicited him to dissolve the alliance of Lucern with the Swiss cantons. The cause was accordingly submitted to arbitrators, selected from Zurich, Berne, and Basle : but the confederacy was confirmed, and a truce for thirty months concluded between the dukes of Austria and Lucern, which was renewed at different intervals.

“ The four cantons, which, from this period, are called the four Forest Cantons, took an active share in the subsequent transactions, and, after vindicating their own independence, assisted in extending and maintaining the liberty of the neighboring towns and districts, who sought their alliance and protection.

“ Zurich next became a member of the Helvetic confederacy. The House of Austria had more than once endeavoured in vain to annex Zurich to their other territories ; and in the peace of Hagenau, it was one of the four imperial towns mortgaged by the emperor to Albert and Otho. But the inhabitants claiming the privilege granted to them by Adolphus, of never being separated from the empire, Louis yielded to their remonstrances, and instead of Zurich ceded Brisach, a town of the Brisgau. The Austrian princes, however, did not relinquish their purpose, and gained a considerable party of the nobles, who had gradually acquired the principal share in the administration of affairs. But their views were thwarted by a revolution which annihilated the influence of the nobles, and established a popular form of government ; and Rodolph Brun, by whose influence and intrigues this revolution was effected, under the title of perpetual burgomaster, secured the chief authority. The nobles who opposed the change were driven into exile, their estates confiscated, and the severest measures were adopted to prevent the restoration of the ancient government. The tyrannical proceedings of Brun having excited great discontents, the exiles united with John of Hapsburgh, lord of Rapperschwyl, who had afforded them an asylum, to recover their lost ascen-

dancy. In 1351 they succeeded in introducing a considerable body of men into the town; but at midnight, when the explosion was about to take place, the plot was accidentally discovered. The conspirators were put to death, or dispersed; and John of Hapsburgh, with Ulrich of Bonstetten, the two leaders, made prisoners. Many of their adherents among the burghers were afterwards executed; and the authority of Brun was more firmly established than ever. He led a party against Rapperschwyl, made himself master of the town, expelled the inhabitants, levelled every house to the ground, and demolished the walls of the castle; but, aware that these proceedings would expose him to the vengeance of Albert, he saw no other resource than the protection of the Swiss cantons, and succeeded in procuring the admission of Zurich into the Helvetic confederacy, which took place on the 7th of May, 1351.

“Albert, at length relieved from his embarrassments in Germany, hastened to recover his declining authority. He assembled at Bruck all his governors, barons, and magistrates, from the Thurgau, Argau, Alsace, the Black Forest, and Suabia, and roused their indignation by expatiating on the flagitious conduct of Zurich. He then summoned the deputies of Zurich, who came to congratulate him on his arrival, into his presence, and, after rebuking them with severity, dismissed them with an order that the towns of old and new Rapperschwyl should be rebuilt, the marshes restored, and his people indemnified for their losses. On the refusal of the burghers to comply with these conditions, he invested the town with 16,000 men.

“On the first appearance of danger, the people of Zurich applied to the Forest Cantons, and a body of Swiss prepared to march, without delay, to the assistance of their new ally. The burghers, however, panic-struck with the force and menaces of the Austrians, requested an arbitration to arrange the dispute, and yielded sixteen hostages as pledges for the fulfilment of the award. The arbitrators chose Agnes, queen of Bohemia, the sister of Albert, as final umpire, who decided in favour of her brother. A treaty was accordingly concluded; but a dispute arising in regard to the release of John of Hapsburgh, and the Swiss disapproving the conditions, both parties had again recourse to arms.

“Among his allies, Albert summoned the people of Glarus to his standard; but these husbandmen, who were animated with

the same spirit as their Alpine neighbours, refused to obey the summons; and when he despatched a body of troops, as well to awe them into compliance as to annoy the Forest Cantons, the Swiss, bursting in the depth of winter into the valley, were joyfully received by the inhabitants, and expelled the governor. The people, grateful for this deliverance, entered into a treaty of alliance with the Forest Cantons, and 200 of their bravest youth marched to the defence of Zurich. At the commencement of the ensuing year they repulsed and defeated with great slaughter an Austrian force in the field of Rutly, and soon after this event Glarus was formally admitted into the Helvetic confederacy. In a similar manner the Swiss expelled the Austrians from Zug, and the natives of that town and district were received into the confederacy; the two cantons however did not yet throw off their feudal subjection to the house of Austria, but reserved, in their full latitude, all the rights and revenues of the duke.

“ During these transactions, four thousand Austrians troops had been defeated by fifteen hundred burghers of Zurich, at Tatwyl, and a corps of a thousand by forty-two Swiss at Kussnacht. Albert, unwilling to continue this predatory warfare, in which all the advantage lay on the side of the active and light-armed peasants of the Alps, and which dispirited his own troops while it increased the courage and skill of the enemy, collected from all quarters an army sufficient, as he imagined, to humble the confederates by a single effort. He drew out the whole force of his own hereditary dominions, and persuaded the nobles of Burgundy, Suabia, and Helvetia that their interests were equally concerned in punishing refractory subjects, and checking the progress of the Helvetic union; he likewise succeeded in obtaining the support of the elector of Brandenburgh, and many other princes of the empire; and was assisted even by the republic of Berne, and its allies of Oberland, Hasli, and the Pays de Vaud. Having in 1352 assembled 30,000 foot, and 4000 horse he intrusted the command to an experienced warrior, Everhard, count of Wirtemberg, who laid siege to Zurich. Albert himself was indefatigable in forwarding the siege, and either on a litter, or on horseback, assiduously visited and encouraged the different posts; but the invincible spirit of the burghers, assisted by a corps of the confederates, baffled all his efforts. In consequence of an alarming scarcity of provisions,

his auxiliaries successively retired, and Albert at length gladly accepted an accommodation, which was concluded by the intervention of the elector of Brandenburgh, with the plenipotentiaries of the confederates assembled at Lucern. All prisoners, conquests, and hostages were to be restored on both sides ; the prerogatives and revenues of the duke in Lucern, Schwyz, and Unterwalden were to be preserved ; Zug and Glarus agreed to render him due allegiance ; and the duke in return promised to be their friend. The confederates were to conclude no alliance with an Austrian town or country ; Zurich and Lucern were to admit no Austrian subject into their burghership : John of Hapsburgh was to be released ; and all former alliances, immunities, and established regulations to remain inviolate.

“ The signal proofs of spirit, valor, and perseverance, displayed by the confederates in this arduous and apparently unequal contest, increased their former reputation ; and before the close of 1352, their union was strengthened by the accession of Berne, the most powerful republic in Helvetia, which, by purchase or arms, had enlarged her frontiers, and acquired a considerable domain ; but was still more formidable from the military skill and prowess of her warlike citizens.

“ The treaty which Albert, from his necessities rather than from inclination, had concluded with the confederate cantons, was a suspension of arms instead of a solid peace ; for disputes soon arose relative to the interpretation of the articles. Albert insisted that the engagements of Glarus and Zug to pay him due allegiance dissolved their alliance with the Swiss cantons ; and the Swiss urged that the article in which the maintenance of all former alliances was stipulated comprehended the Helvetic union. Albert had recourse to the mediation of the emperor, who was anxious to compose the troubles of the empire, that he might receive the crown from the hands of the Pope at Rome. Charles repaired to Zurich, and endeavoured to effect an accommodation ; but as he displayed an evident partiality in favour of Albert, the Swiss cantons declared their resolution to reject any award before their confederacy was acknowledged ; and at the same time they tendered a compensation for the ducal prerogatives, which was to be fixed by the emperor. Charles, irritated by this mark of disrespect, declared the Helvetic union null and void, and all confederacies illegal, which were formed without the consent of the head of the empire.

“ In consequence of the unshaken resolution displayed by the Swiss, an Austrian force passed the Glatt, and fortified Rapperschwyl, which Albert had purchased from the house of Lauffenburgh ; and from that central post annoyed both the Swiss and the town of Zurich. Soon afterwards Charles himself summoned the contingents of the empire, and, accompanied by all his princes, spiritual and temporal, joined the army of Albert, which was encamped before Zurich. But the hopes of Albert were again frustrated ; the garrison, though amounting to only four thousand men, were all animated by the same undaunted spirit ; while the heterogeneous and unwieldy mass of the besieging army was agitated with disputes and jealousies. The imperial cities were unwilling to assist in reducing another city of the empire ; the princes and states were jealous of the increasing power of Austria, and averse to enforce the maxims promulgated by Charles, that all confederacies were illegal which were concluded without the consent of their chief ; Charles himself also was disinclined to support so unpopular a cause, and to waste his time in aggrandising a family, of which he dreaded the ascendancy. A frivolous dispute about precedence in the assault afforded a pretext for retiring ; the besiegers struck their tents, and withdrew in such haste and disorder that, according to the expressions of an ancient chronicle, none knew who went first, or who last, and Albert was left to prosecute the war with his own forces.

“ Albert, thus deserted, changed his plan of operations, devastated the country in the neighbourhood of Zurich, and let loose a lawless band of Hungarian auxiliaries, who, like the Croats and Pandours of modern times, committed the most horrible excesses, and spared neither friend nor foe. At length his own subjects, and the neighbouring barons, harassed and exhausted with perpetual depredations, unanimously clamoured for peace, and testified a resolution to terminate hostilities, even without his consent. Albert was reduced to make overtures of accommodation, and admitted, at the diet of Ratisbon, that the reservation of the Swiss league should be a preliminary of the future award, which was left to the decision of the emperor. He endeavoured, however, to gain by artifice what he could not effect by force. At his instigation the emperor drew up articles of accommodation, containing an ambiguous clause, which virtually annulled the alliance, and would have ultimately

again subjected Zug and Glarus to the domination of the house of Austria. With this view the Austrian commissioners, instead of presenting the instrument to a general assembly of the confederates, endeavoured to divide them, and to extort their separate concurrence. Brun, bribed by Albert, exerted his powerful influence; and Zurich, which had been the principal cause of the war, not only ratified the imperial award, but entered into a defensive alliance with Austria, to enforce the execution even against the confederates.

"The people of Schwyz, however, refused to ratify the obnoxious clause, and resisted with firmness and indignation the urgent representations of Albert, and the mandates of the emperor. Nor did their firmness forsake them on the arrival of an Austrian commissioner to demand the homage of Zug and Glarus, although Zurich remained neuter, and even Lucern, Uri, and Underwalden seemed inclined to shrink from the contest. A body of troops marched from Schwyz under the banner of their forefathers, which had triumphed at Morgarten, entered the two cantons, drove out the Austrian commissioner, and renewed the reciprocal engagements of perpetual amity and mutual defence.

"At length Albert, worn out with age, afflicted by the increase of his paralytic disorder, which was aggravated by arthritic complaints, and the disappointment of his hopes, returned in disgust to Vienna, where he fell into such a state of despondency, that the very name of a Swiss was never mentioned in his presence. His son Rodolph, who was intrusted with the administration of the Suabian territories, agreed to an armistice of eleven years, which was mediated by the baron of Thorberg, the Austrian commissioner in Helvetia, and thus terminated a ruinous and fruitless contest.

"This event was soon followed by the decease of Albert, who died on the 16th of August, 1358, after a reign of twenty-eight years."

The successor of Albert II. was his son Rodolph IV., who had a fancy for antiquities; a fancy made important by his undertaking to assume all the titles which had ever pertained to his family, among the rest that of the Archduke Palatine; but the most important acquisition that marked his own reign was that of the Tyrol, ceded by Margaret Maultasch, whom he had laid under obligation to himself, by procuring from the Pope

the legitimation of her son Meinhard. He also obtained various advantages in a contest with the patriarch of Aquilea; but, in the midst of his attempts to aggrandise his family, he died untimely, aged 26, in 1365.

As his brother Frederic had died immediately before this time, the administration of the family interests fell upon a younger brother, Albert III., who was only seventeen years of age. He also had a brother Leopold, two years younger than himself, and it was his ambition that divided the hitherto united territories of the family. With the sanction of the Emperor, Leopold II. took possession of all the provinces except Austria, and he then proceeded to add to his possessions from the world without. He succeeded in getting Trieste by taking part with Francis of Carrara against the Venetians, but he was disappointed of his hopes of procuring the crown of Poland for his son William, and he sunk into a depression of spirits which incapacitated him for bodily or mental exertion. "He neglected the administration of affairs, and his bailiffs and feudal chiefs, who were freed from his control, were guilty of great tyranny and excessive exactions. Symptoms of discontent soon broke out in Suabia, of which Leopold was imperial bailiff; above forty of the towns renewed the confederacy which they had formerly established against the oppressions of the princes and nobles, and were joined by Strasburgh, Mentz, and the principal cities on the Rhine. To strengthen their league, and to secure allies in the heart of the Austrian possessions, they sought the accession of the Helvetic confederates, whom they considered as the enemies of the House of Austria, from prejudice, interest, and situation.

"Many causes of misunderstanding had contributed to aggravate the natural jealousy between the House of Austria and the Helvetic states. Leopold had evinced an inclination to recover the authority of his ancestors, and had recently shackled the commerce of the Forest Cantons and Zurich, by the imposition of additional tolls at Rapperschwyl and Rotemberg; he had likewise taken part in a contest between Berne and a collateral branch of the family of Hapsburgh. The interference of Leopold in this instance disgusted the confederates, and Berne, Zurich, and Zug, with the town of Soleure, joined the union of the Suabian cities, and warmly solicited the accession of the other cantons.

“Alarmed with this formidable league, Leopold roused himself from his lethargy, and repaired to Zurich, pacified the people of Schwyz, by abolishing the tolls imposed at Rapperschwyl, and by their means gained the three other Forest Cantons; he also conciliated the burghers of Zurich, and detached them from the confederacy. He then appeased the discontents in Suabia, by repressing the exactions of the bailiffs, and by threats and promises dissolved the league of the cities on the Rhine. During these events he had smoothed and *amused the Swiss by offers of perpetual peace, and splendid promises*, but having pacified the imperial cities, he became less compliant, and his governors and bailiffs renewed their oppressions. The inveterate aversion which the Swiss people had fostered against the Austrian family again revived, and a trifling dispute soon occasioned an open rupture. Leopold had pledged the castle and town of Wolhausen, with the Entlibuch, to Peter of Thorberg, and Rotemberg to Herman of Graunberg. These lords oppressing the inhabitants, the latter, instead of appealing to the duke their sovereign, sent their deputies to seek the protection of Lucern, and were admitted into the coburghership. The citizens of Lucern, also, who were aggrieved by imposition of heavy tolls at Rotemberg, seized this opportunity to attack and raze the castle and the walls of the town; and, instead of giving satisfaction for the outrage, admitted into their burghership the Entlibuch, with the Austrian towns of Sempach and Richensee.

“Leopold, irritated by the defection of his subjects and the loss of his territories, was still further exasperated by the clamors of the neighboring princes and nobles, who, being *alarmed lest their vassals should follow the example of those of Austria*, offered to assist in crushing so dangerous a confederacy. Both parties prepared for hostilities; and although Berne declined engaging in the contest, and the Suabian cities refused their assistance, Zurich, Zug, and the three Forest Cantons, armed in defence of Lucern. A desultory but sanguinary warfare took place; the confederates anticipated their enemies by razing the castles of Wolhausen, Meyenburgh, and Caffenbergh, and placed garrisons in Sempach and Richensee; and, on the other side, the Austrians having recovered Richensee, sated their vengeance by demolishing the town, and putting the inhabitants to the sword, without distinction of sex or age.

"The crisis now rapidly approached, and twenty successive messengers arrived in one day, with the declarations of war from different lords against the confederates. Leopold soon collected a considerable army at Baden, and detached John de Bonstetten with a corps to Bruck, as if he meditated an attack on Zurich; but his views were in reality directed to penetrate by Sempach and Rotemberg, and make himself master of Lucern. The Forest Cantons, deceived by his dispositions, at first despatched 1,400 men for the defence of Zurich; but, being apprised of his plan, they prevailed on the burghers to undertake their own defence; and the greater part of the auxiliaries crossing the Reuss, directed their march towards Sempach. In their progress they were joined by bodies from Glarus, the Entlibuch, and the villages through which they passed, and on the 9th of July, 1396, arriving at Sempach, took post in the woods which skirt the lake and crown the neighboring eminences, with a force of only 1,300 men.

"On the evening of the preceding day, Leopold had occupied Sursee, and early in the morning advanced with a corps of 4000 horse and 1,400 foot, with the hope of surprising Sempach. Confident of success, his troops rode up to the walls, and insulted the citizens with taunts and threats. One held up a halter, exclaiming, 'This is for your Avoyer!' and others, alluding to the stragglers who were lying waste the fields, cried, 'Send a breakfast to the reapers.' The burgomaster, pointing to the woods, replied, 'My masters of Lucern, and their allies, will bring it.'

"The duke, surprised at the appearance of the confederates, instantly held a council of war, to decide whether the attack should be postponed till the arrival of the other forces. But the nobles unanimously exclaimed, 'God has delivered these peasants into our hands; it would be shameful, armed as we are, to wait for succors against an ill-armed and almost naked rabble.' The baron de Hasenberg, an experienced veteran, who had often witnessed the prowess of the Swiss, in vain represented the folly of despising the enemy, expatiated on the uncertainty of the fortune of war, and urged the duke to wait the arrival of Bonstetten. But his prudence only drew from the younger knights the censure of cowardice: one of them, calling him a hare in heart, as in name, turned to the duke, and exultingly said, 'This very noon we will deliver up to you this hand-

ful of rustics.' His petulency was received with applause, and preparations were made for an immediate attack.

"As the horses were fatigued by the march, and the woods were impracticable for cavalry, the knights dismounted, ordered the foot into the rear, and formed themselves into a solid and compact body. At this moment the Swiss, according to their custom, threw themselves on their knees, and with uplifted hands, implored the assistance of the Most High. Some of the the Austrians observing this action, exclaimed, 'They are supplicating for pardon!' but they were soon undeceived, for the confederate troops instantly quitted the woods, and with shouts and exclamations poured down into the plain. A few only were in armour; some brandished the halberts which their fore-fathers had wielded at Morgarten; others bore two-handed swords and battle-axes, and instead of shields, wore boards fastened to their left arms; the Austrian host, on the contrary, covered from head to foot with blazing armour, presented a solid range of shields, and a horrent front of projecting spears.

"The Swiss drew up in the form of a wedge, and rushed with their usual impetuosity to the attack, but made no impression on this formidable phalanx; the banner of Lucern was exposed to imminent danger, and the landamman, with sixty of their most adventurous warriors, fell before a single enemy received a wound. They hesitated for a moment, regarding their enemies with a mixture of indignation and despair; while the flanks of the phalanx advancing in a crescent, endeavoured to close on their rear. At this awful crisis, Arnold de Winkelried, a knight of Unterwalden, bursting from the ranks, exclaimed 'I will open a passage into the line; protect, dear countrymen and confederates, my wife and children!' Then throwing himself on the enemy, he seized as many pikes as he could grasp, and burying them in his bosom, bore them by his weight to the ground. His companions rushed over his expiring body, and forced themselves into the heart of the line, others with equal intrepidity penetrated into the intervals occasioned by the shock, and the whole unwieldy mass was thrown into confusion and dismay. The knights, oppressed with their ponderous armour, and incumbered with their long spears, were unable to withstand the impetuous assault of the Swiss, or to recover from their disorder; and their servants, perceiving the general consternation, mounted the horses of their masters, and left them no hope of

safety by flight. The fight was for a while sustained by the efforts of personal valour, and the undaunted spirit of chivalry ; but the havoc soon became general ; numbers fell by the sword of the enemy ; many perished by the pressure of their companions and the intense heat, and not less than 2,000, of whom almost one third were counts, barons, and knights, were numbered among the slain.

“ Two hundred only of the confederates fell in this memorable battle, among whom were their most distinguished chiefs. Fatigued with slaughter, and the excessive heat, they did not pursue the fugitives ; but returned their usual thanksgiving to Heaven on the field, and the following day agreed to an armistice for burying the dead. The remains of Leopold and twenty-seven of his most illustrious followers were conveyed to the abbey of Königsfelden, and the bodies of the lords of Argau were deposited in the tombs of their ancestors. Those of inferior note were buried on the spot ; the two hundred confederates received funeral honours at Lucern, and as at Morgarten a solemn anniversary was established in commemoration of the victory.

The defeat of Leopold and the battle of Sempach did not terminate the war, or depress the courage of the Austrian princes and their allies ; for six days after the battle, not less than fifty nobles, among whom was the burgrave of Nuremberg, the archbishop of Mentz, and the bishop of Bamberg, sent declarations of war to the victorious confederates ; and Leopold, second son of the late duke, though scarcely fifteen, hastened to superintend the preparations, to avenge the death of his father, and retrieve the honour of his family. A desultory war was continued in various parts of Helvetia ; the Swiss, encouraged by their astonishing success, prosecuted hostilities with spirit and vigour, and by the accession of Bern, acquired additional strength. The important post of Wesen on the lake of Walenstadt, which commanded the passes into the cantons of Glarus, and cut off the communication with Zurich, was surprised and garrisoned by the Swiss ; and the men of Gaster and Sargens, subjects of Austria, accepted the protection of Glarus. The citizens of Bern repelled the aggressions of the people of Kyburgh, who had continued invariably attached to their sovereigns, and took several forts in the vicinity belonging to the vassals of the House of Austria. The sons of the deceased

Leopold being dispirited by these reverses, distressed for the means of supporting the war, and weakened by the loss of their principal nobility at the battle of Sempach, concluded an armistice of eighteen months.

“During this interval of tranquillity, both parties employed their efforts in fortifying and securing the strong places, and preparing for the renewal of hostilities. The people of Glarus acknowledged the supreme authority of the abbess of Seckingen, and the rights of the family of Austria, as advocates of that abbey; but emulating the example of the Swiss, they established regulations which greatly reduced their power and influence. The innovation displeased the Austrian princes, and the truce was scarcely expired, before they renewed hostilities, and directed their principal efforts against Glarus. Early in the spring of 1388 their troops surprised the town of Wesen, massacred the garrison, and in April an army of 8000 men, commanded by the count of Tockenburgh, forced the intrenchments which protected the frontier, and devastating the country with fire and sword, penetrated as far as Naefels. Here only 350 men of Glarus, with 50 of Schwyz, who had crossed the mountains by night, waited their approach, on the hill of Ruti. Despising so inconsiderable a body, part of the Austrian troops dispersed themselves to plunder, and burnt Naefels; the remainder attacked the Swiss, and experienced the same fate as their forefathers at Morgarten. The Swiss hurled down on them large stones and fragments of rock, and having thrown the horse into confusion, rushed from the heights, and attacked them with their characteristic impetuosity. At this critical juncture, the mountains resounded with shouts of exultation, and a band of warriors descending from the Upper Valley, assailed the Austrians, already in confusion. Seized with a panic, they fled in all directions, and were pursued by the assailants with redoubled ardor; many were slain in the flight, and more drowned in the lake of Wallenstadt, by the breaking of the bridge of Wesen. One hundred and eighty knights, and two thousand soldiers perished in the conflict, or the flight; and eleven banners, with a thousand suits of armor, were preserved as trophies of the victory. The conquerors, after their customary devotions, passed the night on the field of battle, and advancing the next morning, sacked and burnt Wesen.

“The troops of Zurich, which had assembled too late for the succor of Glarus, joined the victors, and besieged Rapperschwyl: on the other side, Berne took the Austrian towns of Nidau, Buren, and Unterseven, and extended her conquest as far as Bruck, and the valley of Frick on the Rhine. The counts of Tockenburgh made a separate peace with the Swiss; and at length the dukes of Austria, apprehensive of the defection of the Thurgau, which was agitated with discontents, and dreading the loss of the Argau, which was threatened by the arms of Berne and Zurich, engaged in wars and troubles on the side of Austria, and disunited by family quarrels, concluded, in 1388, a truce for seven years. The Swiss were to maintain their alliances, and preserve their possessions during the continuance of the truce, with all their conquests, except Wesen; the dukes of Austria agreed to establish no fresh tolls or imposts, and the confederates were not to admit any subjects of Austria, not residing within their boundaries, into their co-burgership. Future disputes were to be adjusted by arbitration.

“This truce was prolonged in 1394, for twenty years, at the request of Leopold, who had succeeded to the dominions of his father in Helvetia; and on this occasion he renounced all claims to the conquests of the confederates, promised not to fortify Wesen, limited the contributions of Zug and Glarus, and confirmed their league with the Swiss, together with that of Entlibuch, and Sempach with Lucern.”

The children of Albert II. and Leopold II. made no additions to the family territories. But the consequences of the division of these territories between the two branches of the family were frightful for the Austrians.

“Both parties, by a species of legal tyranny, sated their vengeance and avidity with the treasures and lives of their opponents, and alternately sacrificed the adherents of each other as they gained the ascendancy. The nobles availed themselves of these contests to indulge the spirit of misrule and licentiousness, which had been repressed by the preceding sovereigns; robbers and banditti again infested the highways, insulted the towns and villages with impunity, and the whole country became a scene of pillage, devastation, and carnage.

“Such was the deplorable state of Austria, till the death of Leopold in 1411, at the age of forty.”

Albert V. procured the crowns of Hungary and Bohemia, by marrying the daughter of the Emperor Sigismond, who was also King of these nations, and of whom he had gained the favor, by the effectual assistance he had given him in the Hussite war. He was crowned in Hungary by the Diet, after having promised by oath never to accept the imperial diadem. In Bohemia he was acknowledged by the capital and by the town of Kuttenburg; but the Hussites refused their assent, and falling back upon the privileges of the Bohemian constitution, they sent to Poland for Kasimir, brother of the Polish King. Albert nevertheless proceeded to Prague, and was crowned in the cathedral by the Catholic party. Then, assisted by some of the princes of the empire, he led an army of 30,000 men against the Hussites and Poles, and besieged Tabor.

“He would have compelled the fortress to surrender, had not George Podiebrad, who first distinguished himself on this occasion, by a successful sally, forced him to raise the siege, and retire to Prague, while Uladislaus made an irruption into Silesia. Notwithstanding this check, the margrave of Brandenburg drove the king of Poland from Silesia; and the auxiliary Poles, after killing their horses for food, returned to their country on foot. In consequence of this success a congress was held at Breslau, and a truce concluded with Uladislaus; the Hussites agreed to a cessation of arms, and peace was once more restored to Bohemia.

“In the midst of these conflicts, Albert was chosen king of the Romans, as a prince who, by his extensive possessions and distinguished talents, was most capable of allaying the dissensions of Germany, and arresting the alarming progress of the Turks. He at first declined the proffered dignity from a regard to his oath, but being liberated from his engagements by the Hungarian states, and absolved by the council of Basle, he yielded to the exhortations of his relatives and the instances of the electors; and, though never crowned, obtained and deserved a place among the emperors.”

Albert V. died of the dysentery, caught in an expedition against the Turks, which he made in 1439; and a long period of distraction followed in Austria, Bohemia, and Hungary, while his posthumous son Ladislaus was growing up. These troubles were in 1452, somewhat composed, by the queen mother’s giving the administration of Hungary to John Hunniades; that of

Bohemia to George Podiebrad; and that of Austria to Count Cilli; until the young king should reach his majority. It is not within the scope of our purpose to enter into the details of the events of this period, rendered a brilliant page of history, by the splendid administration of John Hunniades, and his victories over the Turks, by which he saved not only his native Hungary, but all the rest of the dominions of Ladislaus. Yet we can hardly resist giving the whole chapter of Coxe (XIV.), since it shows one of those great services which Hungary did for the house of Austria, and even for all Europe.

Ladislaus Posthumus died before his marriage, and thus one branch of the Hapsburgh family became extinct. Within the same century the line of Tyrol also ended with Sigismond, son of Frederic IV., fourth son of Leopold II.

“From the circumstances of his sudden decease, and the doubtful nature of his disorder, his death was attributed to poison, and Podiebrad was charged with the atrocious crime. This imputation, which arose from the reports of the Germans, and obtained credit only from the accession of Podiebrad to the throne, has, however, been ably refuted by the Bohemian historians, who incontestably prove that the death of Ladislaus was occasioned by the plague.

“The reign of Sigismond is memorable in the history of the House of Austria, for the loss of all the dominions which yet remained to his family in Switzerland, and which were reduced to Lower Sargans, Kyburgh, Winterthur, and Rapperschwyl. As he inherited the claims of his family to their former territories, he naturally fostered an antipathy to the Helvetic confederates; he was still further irritated by the loss of Rapperschwyl, the inhabitants of which town throwing off their allegiance, were received under the protection of Schwyz, Uri, Unterwalden, and Glarus. He therefore augmented the garrison of Winterthur, and seemed inclined to seize the first opportunity of attacking the confederates, when he was involved in disputes with Nicholas de Cusa, cardinal archbishop of Brixen, for the possession of some silver mines recently discovered at Schwartz; hostilities commenced, but were suspended by the intervention of Pius II., who in 1460 summoned both parties before his tribunal. Before the decision of the cause, however, the war was renewed, and Sigismond investing the castle of Brunic, took the bishop prisoner. The pope irritated by this contempt

of his authority, fulminated a sentence of excommunication against Sigismond, and instigated the Swiss to invade his territories. They eagerly obeyed the summons, overran the Thurgau without opposition, received the voluntary allegiance of the natives at Frauenfield, besieged Winterthur, and made incursions into the Austrian territories in the vicinity of the lake of Constance. Sigismond, unable to resist the forces of the confederates, obtained a peace by the cession of the conquered territories; and being stripped of the greater part of his possessions, sold Kyburgh and Winterthur to Zurich, and thus alienated the remnant of the Austrian inheritance in Switzerland.

"In imitation of his father, he was no sooner emancipated from his guardians than he made a pilgrimage to the Holy Land, where he received the order of Cyprus, and of the Holy Sepulchre. So eager was he to gratify his curiosity, that he accompanied some Jew merchants, in disguise, into the Turkish territories, examined with attention the manners and customs of a people so different from the Christian world, and collected jewels and other valuable curiosities. Of this pilgrimage the celebrated *Æneas Sylvius* thus speaks in his oration to Pope Nicholas V., when he was recommending a crusade against the infidels:—'The princes of the sublime house of Austria, which ranks among its members many kings and emperors, deemed themselves secure of success only when they served the Supreme Being with fidelity and constancy. Frederic, following their example, was no sooner delivered from the care of his guardians than, despising the dangers and tempests of the deep, he repaired to Jerusalem, anxious to kiss the earth sanctified by the footsteps of our blessed Redeemer. He visited the sepulchre of our Lord, beheld Mount Calvary, and the palace of Pilate, and ascended the Mount of Olives. He entered the desert; crossed the river Jordan; reached Bethlehem; penetrated into the valley of Jehoshaphat; and, by the sight of these sacred places, was inspired with an incredible and ardent devotion.'

"At the age of twenty, Frederic assumed the reins of government as duke of Styria, Carinthia, and Carniola, in conjunction with his brother Albert. On the death of his uncle Frederic of Tyrol, in 1435, he became guardian of Sigismond, and, on the decease of the emperor Albert, was appointed regent by the states of Austria, and guardian of Ladislaus Posthumus.

“The imperial throne being vacant by the death of Albert II., the electors nominated Louis landgrave of Hesse; and that prince declining the crown, their choice unanimously fell on Frederic, as the eldest member of his illustrious house; but he hesitated to accept a dignity, however exalted, which was surrounded by difficulties and dangers.”

After the death of Sigismond, the house of Austria was reduced to the Styrian line, founded by Ernest, third son of Leopold I., who was killed at the battle of Sempach. This Ernest had married a niece of Ladislas Jagellon, king of Poland. She was remarkable for her beauty and accomplishments; yet, says Coxe, “historians record that Cymburga was endowed with such masculine strength, that she could crack nuts with her fingers, and with her hand drive a nail as far as others with a hammer! She was the mother of several children, some of whom died in their infancy, and from her are said to have been derived the thick lips—the characteristic feature of the Austrian family.”

“During his continuance at Frankfort, Frederic endeavored to avail himself of the divisions subsisting among the Swiss Cantons, to attempt the recovery of the dominions which had been wrested from the house of Austria. The contest which had arisen for the succession to the Tockenburgh, had terminated unfavorably for Zurich; for Schwyz and Glarus had gained the widow and the collateral heirs of the count, and, by intrigue or persuasion, had finally succeeded in obtaining the support of the other confederates; Zurich, invested and pressed on all sides, was reduced to accept their mediation, and submit to the award of the five remaining cantons.

“The burghers of Zurich, irritated by the loss of their territories, and the disgrace to which they had been reduced, were eager to avenge themselves; they sent ambassadors to Frederic to apologise for their incursions into the county of Sargans during the war, and offered to purchase his alliance, by restoring the county of Kyburgh. Frederic eagerly accepted the offer; as head of the house of Austria, he concluded an alliance with them on the very day of his coronation, and secretly promised to assist them in recovering a part of the Tockenburgh inheritance.

“The confederates, jealous of his intentions, and suspicious of his new connection, required Zurich to renounce her alliance with the house of Austria, as contrary to an article of the union,

tipulating that no connection was to be formed by any canton with other powers, except by common consent. The refusal was the signal for war, which raged for four years with a degree of fury and unanimity which is only displayed in civil broils; till both parties, fatigued with their exertions, and recoiling from the enormities which they had committed, equally panted for the termination of the contest. The dispute being submitted to arbitration, a peace was arranged in May, 1447, between the house of Austria, Zurich, and the other Swiss confederates. Affairs on both sides were to be restored to the same situation as before the renewal of hostilities; but Zurich renounced her alliance with the house of Austria; and thus the grand principle of the Helvetic confederacy, that no league was valid unless concluded with the consent of the other cantons, was acknowledged and established. At the same time, arbitrators were chosen to the dispute between the house of Austria and Basle; but the war was prolonged by the refusal of the burghers to dismiss the council. They at length yielded to the threats of Frederic, who menaced them with the ban of the empire; and after various skirmishes, and the recovery of Rheinfelden by the Austrians, an accommodation was effected in 1449, which placed both parties in the same situation as before the commencement of hostilities."

The most important act of Frederic III., so far as our purpose is concerned, was his confirmation to the family, by means of the imperial powers of the archducal title, which had first been assumed by Rodolph IV.; and which "raised the house of Austria to a dignity only inferior to that of the electors, and invested it with privileges greater than those possessed by any other prince of the empire. The grant was capriciously founded on letters patent of Julius Cæsar and Nero, and the diplomas of Frederic I., Henry VI., and Frederic II., in favor of the Bamberg line, confirmed by Rodolph of Hapsburgh, when he invested his two sons with the Austrian territories. In virtue of these privileges, the archdukes of Austria were to be considered as having obtained the investiture of their dominions, if they did not receive it after thrice demanding it from the emperor. They were not to be required to pass the limits of their territories, but were to be invested within the borders of Austria on horseback, clad in a regal mantle, wearing a ducal coronet surmounted with the imperial diadem and cross, and holding a staff of command. The archdukes were declared by birth

privy-counsellors of the emperor, and their territories could not be put under the ban of the empire. All attempts against their persons were to be punished as crimes of high treason; and they could not be challenged to single combat: they were exempted from the necessity of attending at the diet, and from all contributions and public charges, except the maintenance of twelve men-at-arms for one month against the Turks in Hungary; they were empowered to levy taxes, to grant letters of legitimation, and to create counts, barons, and other inferior titles; in failure of issue male, the females were to enjoy the right of succession, and in failure of heirs, the archdukes were allowed to dispose of their territories by will. Any lands of the empire might be alienated in their favor, and their subjects could not be summoned out of their territories on account of lawsuits, to give testimony, or to receive the investiture of fiefs."

The death of Ladislaus Posthumus, of whom Frederic had been guardian, had involved him in many disputes and contests, one of which was for the crown of Bohemia; but this he lost in favor of the Bohemian nobleman, George Podiebrad; another was for the crown of Hungary, to which he urged his right as possessor of the crown of St. Stephen, that he had had in safe keeping for eighteen years. But this also he lost to Matthias Corvinus, although he gained a victory over him at Kormund in Styria, for he could not follow up that advantage on account of a civil war with his brother Albert in Austria.

"The terms which had been concluded between Frederic and Albert, for the partition of Austria, and their joint residence at Vienna, gave rise to disputes. Frederic soon became unpopular to the citizens, and the haughty nobles of Austria displayed that turbulence and discontent natural to feudal governments under an indolent sovereign. These discontents being fomented by Albert, soon broke out into open war; and although a temporary reconciliation was effected by the king of Bohemia, neither party was sincerely desirous of peace; the emperor was indignant at the restraints imposed on his authority; and the rapacity of Albert was not gratified by his share of the Austrian possessions. Another and more dreadful contest ensued; the whole country became a scene of intestine discord, and the capital itself was divided into hostile factions; the senate and the most moderate of the burghers, adhered to the emperor; while

the populace, headed by the burgomaster Hulzer, a restless emagogue, espoused the cause of Albert.

“ Frederic, alarmed for the safety of the empress, and his infant son Maximilian, who were in the citadel, appeared before the gates at the head of a body of Styrian horse. By his eloquence and address, he succeeded in conciliating the most violent of his opponents, and after an altercation which lasted three days, was admitted into the city. Refusing, however, to accede to all the demands of the disaffected, the populace again rose, pillaged the houses of his adherents, compelled him to take refuge in the citadel, and after a formal declaration of war, invested that fortress. At the same time Albert repairing to Vienna, concluded a treaty with the insurgents, and was intrusted with the conduct of the siege. But Frederic, though at the head of only two hundred men, held out with great firmness, and evinced a resolution rather to be buried under the ruins of the fortress, than surrender to his rebellious subjects. He appealed to the states of the empire, and when they were assembled at Nuremberg, a messenger arrived announcing that he was reduced to only three weeks provisions. The states displayed, indeed, a readiness to rescue him from his danger; but the proverbial tardiness of their succours would have rendered their resolutions ineffectual, had not Frederic been relieved by the king of Bohemia, who promptly despatched his son with 5000 men, and followed, in person, with an additional force of 8000. The advance of this timely succour relieved the emperor; both parties submitted their dispute to the arbitration of the Bohemian monarch, and the terms of an accommodation were adjusted. Both were to liberate their prisoners; Albert was to restore the towns, fortresses, and countries which he had occupied, and to enjoy the government of Lower Austria for eight years, on condition of paying the annual sum of 4000 ducats to the emperor.

“ On the conclusion of this agreement, Frederic, escorted by a thousand Bohemian horse, met his deliverer at Corn-Neuburgh; he gratefully conferred several privileges on the kingdom of Bohemia, raised the two sons of Podiebrad to the dignity of princes of the empire, and in recompence to the inhabitants of Prague, who had furnished troops on this occasion, he granted them an exemption from the tolls at Vienna, and every part of the imperial territories.

“This accommodation was no less unavailing than former agreements; the hatred and suspicion of the two brothers were too inveterate to be eradicated, and the ambition of Albert too grasping to be satisfied. New disputes arose relative to the fulfilment of the terms: Albert endeavoured to appropriate Lower Austria, received the oath of allegiance from the citizens of Vienna, and made preparations for the renewal of hostilities; while Frederic procured the publication of the ban of the empire, and the sentence of excommunication from the pope against his brother. The pope, the princes of the empire, and the common friends of the two brothers, interposed to terminate this unnatural contest; but Albert rejected all offers of accommodation, and was with difficulty persuaded to conclude even a temporary armistice. In this interval, however, his arbitrary government and continual exactions had alienated the citizens of Vienna, and a strong party, among whom was even Hulzer himself, reconciled themselves with Frederic, and endeavoured to effect his restoration. Their designs being discovered, Albert sated his vengeance by condemning Hulzer to the scaffold, and by confiscating the property of the disaffected. At length Frederic was delivered from an active and turbulent rival, by the sudden death of Albert, who expired on the 4th of December, 1463, at the moment when he was preparing to renew hostilities.”

Frederic was engaged in other wars for personal objects with other antagonists, as selfish in their aims as himself; although they illustrate the family character, they do not especially illustrate our particular subject. The most important act of his life, and most fruitful of consequences, was his bringing about the marriage of his son Maximilian with Mary of Burgundy.

“Before 1477, France and the house of Austria had no subject of rivalry or jealousy, and their political interests were as distinct as their respective dominions. But the marriage of Maximilian with the heiress of Burgundy, entailed on the two powers an hereditary enmity, which deluged Europe with blood for more than three centuries. This enmity arising from jarring interests and contiguity of dominion, was rendered personal by the rupture of the marriage of Maximilian with Anne of Brittany, and the dismission of the archduchess Margaret; and though suspended by treaties and temporary expedients, was continually breaking out on every trifling occasion.

“From the time in which the house of Austria had been deprived of all its territories in Helvetia, the Swiss confederacy had increased in power and influence. Their union had been strengthened in 1481 by the accession of Soleure and Friburgh. Except the Pays de Vaud, which belonged to the house of Savoy, Neufchatel, subject to its own counts and the Italian bailages, which were dependent on Milan, they or their allies possessed almost the whole country which is now called Switzerland. The Helvetic body thus becoming an important link in the chain of European powers, their alliance was courted with much solicitude and intrigue by the greatest potentates, and they were induced to take an active part in the wars of the continent.

“The disputes between the house of Austria and France, for the succession of Burgundy and the possession of Brittany, and the almost constant hostilities to which these disputes gave rise, occasioned earnest and repeated solicitations from the house of Austria and France for an intimate union with the Swiss confederates. Louis XI. gained considerable influence among the Cantons by his private largesses to the leading men, his public subsidies, and the great privileges which he granted to those who served in his armies and settled in France. During the latter part of his reign, indeed, he forfeited the confidence of the Cantons, by withholding his bounties and subsidies; but his son Charles regained their friendship by discharging the arrears and renewing the former connections. Maximilian, from the moment of his accession, was likewise desirous to form an alliance with the Swiss, and to obtain a renewal of the hereditary union; but the superior influence of France, as well as their natural jealousy of the house of Austria, induced them to reject all his offers.

“That part of Rhætia called the country of the Grisons, was originally a dependency of the German empire, and subject to feudal lords, the bishop of Coire, the abbot of Disentis, the counts of Werdenberg, Sax and Masox, the barons of Retzuns, and the count of Tockenburgh. Towards the middle of the fifteenth century the people emancipated themselves from feudal jurisdiction; but their chiefs consenting to this emancipation were suffered to retain considerable prerogatives; and thus the government became a singular mixture of aristocracy and democracy. The country was divided into a number of little com-

munities under different forms of government: a few aristocratical, others popular, and some more democratical than even the rural cantons of Switzerland. These communities composed three leagues, called the Grey League, the League of God's House, and the League of Ten Jurisdictions; and these by means of a general diet formed one republic. The people, hardened amidst the rugged rocks and perpetual snows of the Rhætian Alps, were a rude, hardy, and warlike race, froward and licentious, impatient of control, and no less distinguished from the rest of mankind by their singular customs and manners, than by their situation and forms of government.

"The bishop of Coire, the principal member of the League of God's House, had been engaged in perpetual contests with the sovereigns of the Tyrol, relative to the demarcation of the frontiers, the profits of mines and territorial possessions; and those disputes were aggravated by rival pretensions to the advocacy of the abbey of Munster, which had been claimed by the sovereigns of the Tyrol. Another object of dispute was the valley of Prettigau, which forming the intermediate link between the Tyrol and the League of Ten Jurisdictions, was coveted by both parties. Amidst these contrary pretensions and jarring interests, various feudal privileges in the barony of Retzuns, a community of the League of God's House, and in the whole League of Ten Jurisdictions, purchased by Sigismond, and transmitted to Maximilian, contributed to render him obnoxious to the Grison republics. These contests with Maximilian had overcome the jealousy which the Grisons had hitherto fostered against the Swiss, and soon after his accession, the Rhætian leagues united with the Swiss states in a formal confederacy, a union from which the house of Austria experienced the most fatal effects."

We close our mention of Frederic with an amusing anecdote, sufficiently characteristic.

"Like his great uncle Rodolph, he was attached to the study of antiquities and heraldry, and like him formed alphabets of mysterious characters, and whimsical devices. A species of anagram, consisting of the five vowels, he adopted as indicative of the future greatness of the house of Austria, imprinted it on all his books, carved it on all his buildings, and engraved it on all his plate. This riddle occupied the grave heads of his learned contemporaries, and gave rise to many ridiculous conjectures;

till the *important* secret was disclosed after his death by an interpretation written in his own hand, in which the vowels form the initials of a sentence in Latin and German, signifying 'the house of Austria is to govern the whole world.'

(*A*ustria *E*st *I*mperare *O*rbi *U*niverso.)
Alles *Erdreich* *1st* *Fugger, p. 1080.*

The age of Maximilian was remarkable as the period in which the boundaries of the nations of Europe were strongly defined. It witnessed the union of Brittany with France; of Castille with Aragon; of Burgundy with Austria. It was also the epoch of the union of Norway, Sweden, and Denmark, under Margaret at Calmar; of the rise of Russia, under Ivan Vassilevitch; of the greatest glory of Portugal, under John; of the prosperity of Poland, under Albert; of the union of Bohemia and Hungary, under Ladislas; of a confederacy of the Grisons and Swiss, more especially directed against Austria; of the revival of literature and the arts in Italy, under the fostering care of the Medici and other merchant princes, who brought the Italian republics to their highest point of splendour; finally, it was the acme of the Turkish power in Europe, signalled by their taking Constantinople on the one hand, and the beginning of decline through the sudden death of Mahomet in 1431 on the other. But more important than all political attitudes of nations, were the consequences of the invention of powder, and of printing. For these peaceful events were big with a revolution, which is not even yet, in five hundred years, fully developed, but which will unquestionably bear the ultimate fruits in America, which was also at that epoch just discovered.

But Maximilian did not desert the hereditary character and line of action, to enter into the new ideas of the time. He struggled for means to drive both Spain and France from Italy, not in order to give Italy independence and freedom, but to revive the imperial power there; a project he was at length compelled to abandon. But this portion of his action belongs to the history of Austrian influence in Italy, to which our narrative will return bye and bye, and view it as a whole.

With respect to the Reformation, Coxe observes:

"This controversy had attracted the attention of Maximilian, who was naturally fond of bold and novel opinions, and anxious to reform the abuses and curb the encroachments of the church. Far from opposing the first attacks of Luther against indul-

gences, he was pleased with his spirit and acuteness, declared that he deserved protection, and treated his adversaries with contempt and ridicule. In the progress of the dispute he was, however, gradually drawn from this favourable opinion, and from conviction, *from pique against Frederic of Saxony for opposing the election of his grandson*, or from a desire of conciliating the Pope, was induced to interfere in the controversy. In a letter to Leo X., dated August 5, 1519, he stigmatised the principles of Luther as heretical, and alluded to his numerous and powerful supporters. He urged the necessity of terminating these rash disputes and captious arguments, by which the Christian church was scandalised, and offered to support and enforce the measures which the Pope should think necessary to adopt.

“In consequence of this letter, Leo was induced to pursue more vigorous measures : he enjoined the cardinal of Gaeta, his legate at the diet of Augsбурgh, to summon the heretic Luther in person ; if he refused to recant, to detain him in custody ; and, if he did not obey the summons, to denounce the sentence of excommunication against him and all his protectors or adherents. At the same time Leo wrote to the elector of Saxony, requesting him to withdraw his protection from Luther, and promising that if not found guilty, he should be liberated and absolved.

“But at this critica moment the emperor Maximilian died, before the papal bull could be presented to him, and the government devolved on the elector of Saxony, as vicar of the empire. The proceedings against the great reformer were thus suspended, and he was enabled to improve his knowledge of the Holy Scriptures in silence and safety, to propagate his opinions, and, by study and meditation, to prepare himself for those hostilities against the authority of the Pope, which he had proclaimed by his recent appeal.

“Notwithstanding the exhortatory letter of Maximilian to the Pope, he seemed so little interested in the Lutheran controversy, that he dissolved the diet and quitted Augsбурgh two days before the arrival of the Saxon reformer ; and so rapid was the progress of that disorder which hurried him to the grave, that he had no opportunity, had he possessed the inclination, to interfere in the subsequent discussion.

“Although Maximilian did not illustrate his name and reign by conquest, or even considerable acquisitions by the sword, he

may justly be considered as the second founder of the house of Austria. By his own marriage with the princess Mary, daughter of Charles the Bold, he secured the inheritance of the house of Burgundy; by the marriage of Philip with Johanna he brought into his family the succession of the Spanish monarchy, and by the intermarriage of his grandson, the archduke Ferdinand, with Anne, daughter of Ladislaus, he entailed on his posterity the crowns of Hungary and Bohemia. These and other vast acquisitions which the house of Austria obtained by marriage and not by arms, gave birth to a sarcastic epigram which has been attributed, though perhaps erroneously, to Matthias Corvinus, the celebrated king of Hungary: —

*Bella gerant alii, tu felix Austria nube;
Nam quæ MARS aliis, dat tibi regna VENUS.*

“ Since the reign of Charlemagne, no sovereign united such extensive territories and possessed such influence as Charles V., nor seemed more likely to realise the phantom of universal monarchy, which has never failed to fill the imagination of ambitious, or excite the apprehensions of weak and timid princes.

“ He inherited the vast domains of the Spanish monarchy, including Naples and Sicily, and the recently discovered territories in the new world, and the seventeen provinces of the Low Countries, with Franche Comté and Artois, at that time the richest, most populous, and most flourishing country in Europe. In conjunction with his brother Ferdinand, he also succeeded to the whole possessions of the house of Austria. To these he united the highest dignity in Europe, and although the crown of the empire had proved a burden to weak sovereigns, in his powerful hands it became a formidable engine for territorial acquisitions, in consequence of numerous claims on all the surrounding districts, its extensive jurisdiction, and the force which the influence of so powerful a prince could still draw from the vast and heterogeneous mass of the Germanic body.

“ Sovereign of such extensive territories, endowed with the most eminent talents, civil and military, and possessing almost universal influence by his connections and alliances, Charles seemed born to domineer over Europe; nor could the union of the princes and states of Germany have secured their liberties, had not his power been weakened by the separation of the Austrian and Spanish dominions, by his wars with France and the

Turks, and still more circumscribed by the reformation in religion, which was commenced and perfected by the efforts and perseverance of Luther.

“After the death of Maximilian the Austrian territories were possessed in common by Charles and Ferdinand; but in 1521 a partition was made. Charles ceded to his brother Austria, Styria, Carinthia, and Carniola, with their dependencies, and in the ensuing year, the Tyrol, and the exterior provinces in Suabia and Alsace, reserving to himself only the reversion of Brisgau and the Alsatian territories, which he afterwards relinquished. By this cession the house of Austria was divided into two separate and independent branches; the Spanish branch under Charles, and the German under Ferdinand.

“As Ferdinand, soon after the partition, became king of the Romans, as he finally succeeded to the imperial crown, it becomes necessary, for the elucidation of the subject, not to omit the affairs of Germany under Charles, and particularly to dwell on the rise and progress of the Reformation, which produced such important effects to the house of Austria and to Europe.”

Charles immediately convoked the diet of the empire, and “among the causes enumerated by Charles for the convocation of a diet, one of the most important was, ‘to concert with the princes of the empire effectual measures for *checking the progress of those new and dangerous opinions, which threatened to disturb the peace of Germany, and to overturn the religion of their ancestors.*’

“Charles had already given evident proofs of an hostile disposition towards the Lutheran doctrines, as well from conviction, as from a desire of obliging the pope, and an apprehension of alienating his subjects in Spain and the Low Countries, who were zealously attached to the religion of their ancestors. Before his departure from Spain he had declared his intention to suppress the new opinions, and on his arrival in the Low Countries had permitted the universities of Louvaine and Antwerp to burn the writings of Luther, and even supported the instances of the pope in urging the elector of Saxony to banish him from his territories. With these sentiments he opened the diet of Worms, permitted the papal legates to inveigh against Luther, and proposed that the German states should also condemn his doctrines, and commit his writings to the flames.

“Charles, however, was astonished to find that the proscribed opinions had taken a deep root, and spread over a great part of the empire. The diet itself displayed an evident disposition to favour an attack on the pretensions and exactions of the pope; and the states presented a long list of grievances against the Roman see, of which they required the emperor, in virtue of his capitulation, to obtain redress. In opposition to all the remonstrances of the legates, the members of the diet, at the instigation of the elector of Saxony, refused to proscribe Luther before he had acknowledged himself as the author of the propositions condemned by the papal bull, and had refused to recant, as a measure no less contrary to the principles of justice than to the laws of the empire; and they declared, that if he was convicted of error, and refused to retract, they would then assist the emperor in punishing his contumacy. The legates, who probably expected the same implicit obedience which had so long been paid to the dictates of the church, in vain contended that an affair, already decided by the pope, could never be again brought into deliberation, and that a dispute with Luther would be endless, because he refused to acknowledge the authority of the church. They had the mortification to find that all their remonstrances were ineffectual, and that their assertions of papal infallibility were heard by the majority with indifference or contempt.

“Charles, perceiving the sentiments of the diet, and unwilling to offend the elector of Saxony, to whom he owed the imperial crown, affected great candour and moderation, and, on the 6th of March, despatched a respectful summons and safe conduct to Luther; though, to appease the legate, he promised that Luther should not be suffered to defend, but simply to acknowledge or recant his doctrines. The undaunted reformer obeyed the summons with alacrity. His journey to Worms was like a triumphal procession, and his reception, from all orders of men, evinced the highest respect and admiration. Greater crowds assembled to behold him than had been drawn together by the public entry of the emperor; and his apartments were crowded daily and hourly with persons of the highest rank and consequence. On his appearance before the diet he behaved with great propriety, and acted with equal prudence and firmness. He acknowledged without hesitation, the works published under his name, but divided them into three classes. The first,

he adroitly observed, relating to faith and good works, contained doctrines which were not disapproved even by his adversaries; the second, relating to the power and decrees of the pope, he could not retract without injuring his conscience, and contributing to the support of papal tyranny; and, in the third, consisting of his writings against his opponents, he acknowledged, with regret, that the provocation of his adversaries had urged him beyond the bounds of moderation. He concluded, as usual, with declining to retract the condemned propositions, until convinced by arguments from reason and Scripture, not by the fallible authority of popes and councils, which experience had proved to be frequently erroneous and contradictory. When again required to recant, he persisted in his resolution, and concluded with exclaiming. ‘Here I stand, I can do no more. God be my help. Amen,’

“The papal legate, and some of the members of the diet, provoked at his contumacy, exhorted the emperor to imitate the example of his predecessor, Sigismond, by withdrawing his protection from an heretic; but Charles rejected their advice with becoming disdain. He was, however, no less exasperated at the refusal of Luther to recant; and, after the second examination, retired in the evening to his cabinet, and drew up, with his own hand, a declaration of his attachment to the church, and of his resolution to proscribe the condemned doctrines. ‘Descended as I am,’ he said, ‘from the Christian emperors of Germany, the Catholic kings of Spain, and from the archdukes of Austria and the dukes of Burgundy, all of whom have preserved, to the last moment of their lives, their fidelity to the church, and have always been the defenders and protectors of the Catholic faith, its decrees, ceremonies, and usages, I have been, am still, and will ever be devoted to those Christian doctrines, and the constitution of the church, which they have left to me as a sacred inheritance. And as it is evident that a single monk has advanced opinions contrary to the sentiments of all Christians, past and present, I am firmly determined to wipe away the reproach which a toleration of such errors would cast on Germany, and to employ all my power and resources, my body, my blood, my life, and even my soul, in checking the progress of this sacrilegious doctrine. I will not, therefore, permit Luther to enter into any further explanation, and will instantly dismiss, and afterwards treat him as an heretic; but I

will not violate my safe-conduct, and will cause him to be reconducted to Wittemberg in safety.'

"The edict of Worms was passed on the 28th of May, but, to give it the appearance of unanimity, was antedated the 8th. It declared Luther a heretic and schismatic, confirmed the sentence of the pope, and denounced the ban of the empire against all who should defend, maintain, or protect him. To prevent also the dissemination of his opinions, it prohibited the impression of any book on matters of faith, without the approbation of the ordinary, and of some neighbouring university.

"Fortunately for the Reformation, the emperor was prevented from executing the edict of Worms by his absence from Germany, by the civil commotions in Spain, and still more by the war with Francis I., which extended into Spain, the Low Countries, and Italy, and for above eight years involved him in a continued series of contests and negotiations at a distance from Germany.

"Even in the hereditary countries of the house of Austria the Reformation found numerous advocates. Notwithstanding Ferdinand had endeavoured to enforce the edict of Worms, the evangelical principles were not only received by the people, but were adopted by many of the higher orders, and by the professors of the university of Vienna. The same spirit pervaded Bohemia; and that country, so feebly connected with the church and the empire, seemed again likely to become the scene of those religious troubles by which it had been desolated during the Hussite wars.

"The Reformation, thus successful in Germany, spread with equal rapidity in the neighbouring countries. Zuingle, the illustrious head of the reformed church in Switzerland, who had preceded Luther in his attacks against the Roman see, who equalled him in zeal and intrepidity, and surpassed him in learning and candor, had advanced with more daring steps; and free from the restraints which subjection to the will of a sovereign had imposed on the German divine, had overturned the whole fabric of the established worship. So early as 1524, the canton of Zurich renounced the supremacy of the pope; and, in 1528, Bern, Basle, and Schaffhausen, and part of the Grisons, Glarus, and Appenzel, followed the example.

"The reformed doctrines spread likewise over the kingdoms of the north: Christian II., the brother-in-law of Charles, had

been driven from the throne of Sweden by Gustavus Vasa, and from that of Denmark by Frederic of Oldenburgh ; and in both countries the jurisdiction of the pope was abolished, and the Lutheran declared the established religion. In England, also, the influence and authority of the church experienced a similar decline ; the Reformation was received by the people with an eagerness which all the despotism of the sovereign could not repress, and even Henry VIII. himself, who, by writing against Luther, had acquired the title of Defender of the Faith, was preparing to undermine the authority of the pope, and was suing for that divorce from his queen, Catherine of Arragon, which soon afterwards occasioned the separation of England from the see of Rome. In France a similar schism took place, notwithstanding the efforts of Francis I., who, while he encouraged the reformers of Germany, persecuted them in his own dominions : a considerable party which had seceded from the church, had been already formed under the auspices of Farell, and afterwards increased by the labours of Calvin, from whom they received the denomination of Calvinists.

“The progress of the reformed doctrines, and the conduct of the reformed princes, was not likely to allay the animosity which subsisted between the two religious parties. The Catholics presented urgent and continual representations to the emperor ; and, on the other hand, the Lutherans exerted every effort to maintain and extend their cause, by entering into associations, and making preparations to resist aggression. Above all, Philip, landgrave of Hesse, a prince perhaps sincere in his attachment to the new religion, but violent, ambitious, and interested, collected troops, and after alarming all Germany by dubious threats, commenced aggression by invading the territories of the bishops of Wurtzburg and Bamberg. The Catholic princes, being ill-prepared to retaliate, the civil war which now threatened Germany, and which afterwards burst forth with such fury, was suspended by their moderate language and pacific assurances ; and Philip disbanded his troops, after receiving considerable sums of money in disbursement of his expenses. The reformed party were thus encouraged by the timidity and irresolution of their adversaries, and the animosity of the Catholics was augmented by their own humiliation.

“Hence the emperor summoned, in 1529, a second diet at Spire, for the usual purpose of opposing the Turks, who had

overrun Hungary, and even threatened the Austrian territories; but principally for terminating the contests relating to religion. It was opened on the 15th of March, and in the absence of the emperor, presided over by Ferdinand, who had recently succeeded to the crowns of Hungary and Bohemia. Every other consideration yielded to the affairs of religion; and the Catholics, sensible of the fatal consequences derived from the vote passed at the preceding diet of Spire, united the influence of their whole body to procure its repeal or modification. By a majority of voices a decree was passed, under the pretence of explaining, but virtually repealing the former edict of toleration, which was declared to have been misunderstood, and to have given rise to a variety of new doctrines. It was enacted, that in all places where the edict of Worms had been executed, it should be still observed, till the meeting of a council; that those who had adopted the new opinions should desist from all further innovations; that the mass should be re-established in all places where it had been abolished, and the Catholic subjects of reformed princes be suffered to enjoy unlimited toleration. The ministers of the Gospel were to preach the word of God, according to the interpretation of the church, and to abstain from promulgating new doctrines. No hostilities were to be committed under pretence of religion, and no prince was to protect the subjects of another. The severest penalties were denounced against the Anabaptists; and regulations were established against the reformed sect called Sacramentarians, who, in the doctrine of the real presence in the sacrament, differed both from the Catholics and Lutherans.

“The Lutherans could not avoid perceiving the intent of this decree, and were justly alarmed with its probable consequences. After in vain endeavouring to prevent it from receiving the approbation of the diet, they published their dissent by a regular protest. They declared that what had been decided unanimously in one diet, ought not to be revoked in another by a majority: and as the mass had been proved by their ministers to be contrary to the institution of Christ, they could not conscientiously permit its use among their subjects, or allow the absurd practice of administering the communion according to two different forms in the same place. They reprobated the clause which enacted the preaching of the Gospel according to the interpretations of the church, because it did not determine

which was the true church. They argued that the Scripture, as the only certain and infallible rule of life, ought to be explained by itself alone, and not by human traditions, which are doubtful and uncertain; and they, therefore, declared their resolution to suffer nothing to be taught except the Old and New Testament in their pristine purity. They readily acceded to the proscription of the Anabaptists; but with a liberality of sentiment, which they afterwards belied, they refused to join in proscribing the Sacramentarians, on the same principle which they had claimed for themselves, that no doctrines ought to be condemned until they had been heard and refuted. They concluded with professing their earnest desire to maintain tranquillity, and their acquiescence in the prosecution of those who were said to have violated the peace, before equitable judges.

"This protest was signed by John, elector of Saxony, George, margrave of Brandenburgh Anspach, Ernest and Francis, dukes of Brunswick Lunenberg, Philip, landgrave of Hesse Cassel, Wolfgang, prince of Anhalt, and fourteen imperial cities, who thus appealed to the emperor and to a future council. From this *protest* the Lutherans acquired the name of Protestants, which has been since applied to all who separated from the church of Rome.

"Notwithstanding the remonstrance of the Protestants, the decree of the diet of Spire was but the prelude to still severer measures, which the emperor was determined to enforce by his presence, when relieved from the war in which he was then engaged. He had, therefore, no sooner concluded the treaty of Barcelona with the pope, and that of Cambray with Francis, than he quitted Spain with a resolution to restore the unity of the church. At Placentia, being met by a deputation with the protest of the Lutherans, he arrested the deputies, and arrogantly required its revocation. He continued his route to Bologna, where he was met on the 21st of February, 1520, by Clement VII., and received the crowns of Lombardy and of the empire with more than usual solemnity.

"During his stay at Bologna he was induced, by the advice of his chancellor Gattinara, to assume at least the appearance of more mildness and moderation than he had before displayed, and to fulfil his repeated promises of endeavouring to procure the convocation of a general council. With this view he held

frequent and private conferences with Clement; but he was unable to overcome his repugnance, and was persuaded by the pontiff to resume his intention of employing force, if he failed in effecting the re-union of the church by mild and moderate measures. In consequence of this determination, he summoned a diet to meet at Augsбурgh in April, in a circular letter, dated January 1, which breathes the spirit of conciliation and Christianity. 'I have convened,' he observed, 'this assembly, to consider the difference of opinions on the subject of religion; and it is my intention to hear both parties with candour and charity, to examine their respective arguments, to correct and reform what requires to be corrected and reformed, that the truth being known, and harmony re-established, there may, in future, be only one pure and simple faith, and, as all are disciples of the same Jesus, all may form one and the same church.'

"A subsequent letter, in which he prorogued the meeting till the 15th of May, was couched in expressions equally temperate and equitable. Yet, notwithstanding these specious declarations of impartiality and moderation, the Protestant princes had just reason to doubt his sincerity. They recollect his earnest endeavours to enforce the edict of Worms, and the exertion of all his influence and authority in the empire to obtain the edict of the second diet of Spire. The preamble of the treaty of Madrid, in which he had unequivocally announced his hostility to their doctrines, and the arrest of the deputies who carried their protest, were the most public proofs of his intentions. They were also alarmed at his long residence at Bologna, and his frequent conferences and good understanding with the pope; and they had already learned to dread and suspect his dissimulation. In fact, the Protestant princes were so convinced that the emperor covered, under fair words, the most intolerant and despotic designs, that they deliberated whether they should not instantly assemble their forces, conclude an alliance with Zurich and Berne, and attack him before he was in a situation to subjugate them. But this resolution, of which subsequent events proved the expediency, was counteracted by the divines of Wittenberg, and by none more than Luther, who, though fierce in debate, and overbearing in controversy, was averse to war, and exhorted the elector to leave to God the defence of his own cause."

Coxe goes on to tell all the action of Charles against the Protestants, first under the mask of moderation and then in open violence, until he was compelled to the religious truce of 1532 by an eruption of the Turks into Hungary, threatening Austria also with invasion, an event requiring the union of the Protestant and Catholic States against a common enemy.

Meanwhile the Catholics had obtained from Charles the appointment of a king of the Romans, who being attached "to the Church, might by his presence give force to the government, and support to the Catholic cause. With a natural partiality he proposed his brother Ferdinand, who, in addition to the hereditary countries of the house of Austria, had recently obtained the crowns of Hungary and Bohemia. He positively refused to accept any other coadjutor; and his powerful influence concurring with the wishes of the Catholic electors, Ferdinand was regularly chosen by the whole college, except the elector of Saxony, on the 5th of January, 1531.

"The religious feuds being thus suspended, the German states were enabled to turn their whole force against the enemy of Christendom. The Protestants, eager to prove that their recent opposition had been merely derived from motives of conscience, exerted themselves with unusual alacrity, doubled and even trebled their contingents; and by their assistance Charles was principally enabled to lead an army in person against the infidels, and expel them from the Austrian dominions. He displayed, however, but little gratitude for this assistance; for he was no sooner relieved from his apprehensions of the Turks, than he encouraged the imperial chamber to recommence its proceedings against the Protestants, under the plea that the agreement of Nuremberg regarded the toleration of religious opinions, and not the possession of ecclesiastical property. The Protestants, roused by these proceedings, again renewed the confederacy of Smalkalde, and their engagements with foreign states; while their active and enterprising chief, the landgrave of Hesse, entered, with a considerable army, into the territories of Wirtemberg, defeated the Austrian troops at Lauffen, and restored the duchy to duke Ulric, who had embraced the Protestant doctrines.

"At this juncture the more timid or moderate of the Catholics interfered, and, through their interposition, and the mediation of the elector of Mentz and George duke of Saxony, with the

chiefs of the Protestant party, a convention was concluded, on the 29th of July, 1534, at Cadan, in Bohemia. The convention of Nuremberg was renewed and confirmed, and the Protestants acknowledged Ferdinand as king of the Romans. To save the honour of the emperor, the duke of Wirtemberg and the landgrave of Hesse were to demand pardon on their knees; but the duke was allowed to retain possession of his territories on the condition that the duchy should become a mesne fief of the house of Austria, and that he should tolerate all religious opinions. John Frederic, the new elector of Saxony, who had recently succeeded his father, John the Constant, and was, like him, attached to the Protestant doctrines, was to receive the investiture of his dominions; and all processes in the imperial chamber, against the Protestants, were to be again suspended. Both parties agreed to exclude from the benefit of this treaty the Sacramentarians, and all other sects who maintained tenets contrary to the confession of Augsбурgh and the Roman Catholic church.

“Charles was anxious to support the Catholics from attachment to the religion of his ancestors, from his interests as king of Spain and sovereign of the Netherlands, and from his desire to recover his authority as emperor; and for these reasons he was determined to exert his whole force in effecting the restoration of the Catholic cause. But duly appreciating the delicacy and difficulty of his situation, he prepared for the contest with his usual foresight, art, and sagacity. Sensible that violent measures would only unite the Protestants and alienate the most moderate of the Catholics, he endeavoured to adopt such a line of conduct, that to the Protestants he should appear only to prosecute a civil contest, and to the Catholics, to vindicate the honour of the church and of the empire, and compel refractory schismatics to submit their objections to the impartial decisions of a general council. He pursued this plan with unabated perseverance, notwithstanding all the clamours of the zealous Catholics, and all the remonstrances, reproaches, and intrigues of the new pontiff, Paul III., who reprobated the slightest degree of toleration, and was averse to the interference of a lay prince in ecclesiastical affairs.

“From the edict of Worms to the private act of toleration at the diet at Ratisbon, Charles had either granted or withheld liberty of conscience, as he was in friendship or at enmity with

the pope and the Turks ; yet he never abandoned his design of compelling the Lutherans to return to the church, and considered his occasional concessions only as temporary expedients which he was justified in resuming. With these views he concluded the peace of Crespy with Francis, on the 18th of September, 1544 ; and introduced into the treaty a secret article, binding the French monarch to assist in crushing the Lutheran heresy, and in enforcing the decree of the council which was about to be summoned ; and he was, in 1506, relieved from all other foreign embarrassments, by the conclusion of a truce for five years, between his brother, as king of Hungary, and Solyman the Magnificent, sultan of the Turks."

It is not necessary to state here the events of this well known war, every turn of which shows that the worst qualities of the house of Hapsburgh were concentrated in Charles and made effective by his military and diplomatic talents. In 1555 the war was concluded by "the religious peace of Passau," presided over by Ferdinand, who was interested to conciliate the Protestant powers, that he might obtain assistance against the Turks. From all this portion of history we may see that if the house of Austria did not suppress the Reformation, it was through no scruples of respect for the rights of conscience.

Before speaking of the destruction of Italy, for it was nothing less, by Charles VI., and his destruction of the constitution of Spain, we will turn to consider that of Ferdinand in the East of Europe.

After having obtained from Charles the cession of Austria, and suppressed a rebellion there by the execution of its leaders, his marriage with Anne, princess of Bohemia and Hungary, paved the way for his final triumphs over those countries. The marriage of Louis of Hungary with his sister also gave colour to claims on that country which in the course of time he made good. For he claimed the crowns of Hungary and Bohemia on the death of Louis, who fell in a war with Solyman the Magnificent, when, having in vain appealed to the pope, the emperor and the German states for aid, that unfortunate monarch undertook to meet at Mohatz an army of 200,000 with 30,000 men. Ferdinand presumed on "a double title : the one derived from family compacts, which secured the reversion to the house of Austria, in failure of male issue to the reigning family ; and the other in right of his wife Anna, the only sister of the de-

ceased monarch. But the natives of Hungary and Bohemia were too much attached to their rights of election to respect these compacts, or even to acknowledge his claims as husband of the princess; and Ferdinand, prudently waving his pretensions, offered himself as a candidate according to the usual mode of election. Being only opposed in Bohemia by Albert, duke of Bavaria, he was, on the 26th of October, 1526, elected by a committee of twenty persons, who were appointed by the states to choose a king.

“The new sovereign, in his letters of thanks to the states, promised to ratify all their rights and privileges, to observe the religious compacts, to raise no foreigners to any office of state, to coin good money, to govern the kingdom according to ancient customs and laws, and to reside at Prague. He also acknowledged, by public act, his election to the monarchy, as the free choice of the barons, nobles, and states of Bohemia, and disowned all other rights and pretensions. He soon afterwards repaired to Iglau, where he took the usual oaths; and, continuing his journey to the capital, was crowned with his wife Anne in the cathedral, on the 4th of February, 1527.

“After taking possession of Moravia, Silesia, and Lusatia, at that time dependencies on Bohemia, he proceeded to Hungary, where the succession to the crown was contested by a more powerful rival than the duke of Bavaria.

“John of Zapol, count of Zips, and waivode of Transylvania, being at the head of 40,000 men, whom he had led into the field to join his sovereign before the battle of Mohatz, offered himself as a candidate for the crown; and having convened the states at Tokay, was chosen by a large party of the nobles, who were averse to the rule of a foreigner. In November, 1526, he was crowned at Alba Regia with the sacred diadem of St. Stephen, by the Archbishop of Gran, and took up his residence at Buda, the capital of the kingdom, which had been recently evacuated by the Turks.

“On the other hand, Mary, the widow of the deceased monarch, and sister of Ferdinand, summoned, in conjunction with the palatine, a diet at Presburgh; and a party of the nobles, after declaring the election of John illegal, because the assembly at Tokay was not regularly convoked by the palatine, raised Ferdinand to the throne. The new sovereign supported his election by marching to Presburgh with a powerful army of

Germans and Bohemians, was joyfully received by his party, took an oath to confirm the rights and privileges of the nation, and proceeded, without delay, towards Buda. Raab, Commorn, Gran, and Alba Regia surrendered without opposition; John retired from the capital, and Ferdinand made his triumphant entry. A numerous meeting of the states, assembled in a new diet, confirmed the proceedings at Presburgh, declared Ferdinand king, and proclaimed John and his adherents enemies of their country if they did not, within twenty-six days, desist from their contumacy. Ferdinand gained many of the nobles by favours and promises; his troops defeated those of his rival in various encounters; and John himself was compelled to take refuge in Poland, under the protection of Sigismond I., who had married his sister.

“Ferdinand was accordingly crowned by the archbishop of Gran, whom he had detached from the party of John; and after obtaining the ban of the diet against his rival, and appointing a council of regency during his absence, quitted Hungary in full possession of the whole kingdom.”

But before going on with Ferdinand’s transactions in Hungary, which we defer to the end of the book, we shall hear Coxe relate his destruction of the constitutional rights of Bohemia, in the XXXIVth chapter of his history.

“We have already seen that Bohemia was an elective monarchy.

“On his accession to the throne, the king was always constrained to acknowledge the right of election, and all the privileges of his subjects, and promise to govern according to the ancient constitution and statutes, particularly those of the Emperor Charles IV. The power of the crown was extremely limited, as well by the privileges of the different orders, as by the authority of the diet, without which he could not impose taxes, raise troops, make war or peace, coin money, or institute and abrogate laws.

“The diet, which shared with the king the executive and legislative authorities, consisted of the three estates of the realm; the barons, the knights or equestrian order, and deputies from certain privileged cities. By the laws the king alone possessed the right of convocation, but in turbulent times the states frequently assembled at the instigation of the principal barons, or by a common impulse in which the capital bore a considerable

share. The number of members, instead of being uniform, depended on the exigency of the moment, or the importance of affairs, sometimes consisting only of a few, and at others forming a turbulent and heterogeneous assemblage of several hundred.

“Besides all these restrictions which had more or less controlled the preceding sovereigns, there were others arising from religious affairs, which particularly shocked the prejudices and thwarted the views of Ferdinand.

“From the accession of George Podiebrad, the equipoise established between the Catholics and Calixtins produced continual struggles and confusion, until his successor Ladislaus, in a diet holden at Kuttenberg, in 1485, procured the conclusion of a religious peace for thirty-three years, by which the Catholics and Calixtins agreed to abstain from mutual persecution ; the priests were allowed to preach freely the word of God ; and the compacts approved by the council of Basle, which had been revoked by the popes, were to be restored and maintained. These wise regulations suppressed the public dissensions ; but the new opinions of Luther spreading from the contiguous parts of Saxony, found a ready reception among a people habituated to religious discussions, and divided into almost as many different sects as there were priests and preachers. The introduction of the reformed opinions exciting a new ferment induced the government, which administered the affairs of Bohemia during the reign of Louis, to prevent their diffusion by persecution and banishment. Many of the most remarkable Lutherans were driven from the kingdom ; but the majority taking refuge under the name of Calixtins, carried their own principles into that body, while their numbers increased its weight and influence. So great, indeed, was the preponderance of Lutheranism in that sect, that in a committee selected for the purpose of establishing among themselves uniformity of opinion, they chose, as their chief or administrator, Howel Czahera, pastor of one of the churches of Prague, who had been educated at Wittemberg, and had distinguished himself in the propagation of the Lutheran doctrines.

“By this similarity of religious sentiments, a more powerful bond than the frail connections of policy or interest was formed between the Bohemians and Saxons. The reformers of Germany courted the sectaries of Bohemia as a body who, by weight and

numbers, gave an essential support to their cause; while the sectaries of Bohemia favoured every new opinion and approved every innovation, which tended to depress the hierarchy and diminish the influence of the Roman see.

“Such was the civil and religious state of Bohemia when Ferdinand ascended the throne. He did not attempt to infringe the privileges secured by the constitution to the Calixtins; but, as in his other dominions, he laboured to check the progress of the Reformation, and exercised the utmost rigour against those who disseminated religious opinions not tolerated by law; in particular, he obtained from the diet of Budeweiss a decree of proscription against all sects, not tolerated by the compacts, and a sentence of banishment against the Calixtine administrator Czahera, who had distinguished himself for his zeal and turbulence. As the means of diminishing the influence of the capital, he removed several magistrates, and again separated the magistracy of the old and new towns, which had been united since the time of Ladislaus, and forbade all attempts for effecting their re-union under the penalty of high treason.

“Notwithstanding these innovations, he obtained considerable support from the Bohemians during the Turkish war; and a long absence for ten years, during which no remarkable event occurred, seems to have weakened the impression occasioned by such acts of authority. During this time he made a fruitless attempt to disarm the nobles by requiring their artillery, under the pretext of employing it against the Turks; but having concluded the peace with Solyma, he ventured on more decisive innovations. He re-established the archi-episcopal see of Prague, and empowered the archbishop to consecrate the Calixtine as well as Catholic priests; and he excited the jealousy of the whole kingdom by formally revoking the reversal, by which he had acknowledged the right of election in the states, and declaring himself hereditary sovereign, in virtue of his marriage with Anne, and of the exploded compacts between the Bohemian and Austrian princes.

“This unpopular and glaring breach of faith could not fail to excite the highest indignation among a people so jealous of their privileges; and the religious war in Germany brought on a crisis, which was equally dangerous to the sovereign and the subject, and occasioned the loss of that darling liberty for

which the Bohemians had so long sacrificed the blessings of peace and tranquillity.

“ When Charles had determined to reduce by force the league of Smalkalde, and to subdue the elector of Saxony and the landgrave of Hesse Cassel, Ferdinand raised a considerable number of troops in the Austrian dominions, and prepared to collect an army in Bohemia, to co-operate with his brother. But as he was well aware of the tendency of his Bohemian subjects to the Lutheran opinions, and knew that a compact of hereditary friendship and amity with the elector of Saxony, concluded at Egra in 1459, was still in force, he endeavoured to elude the privileges of the states, by entangling them with opposite engagements, and involving them in the war before they could suspect or thwart his designs. He accordingly summoned a diet at Prague, on the 27th of July, 1546, and obtained their consent to raise a certain number of troops for the purpose of defending the country, or, if necessary, of marching against the Turks, or *other enemies of the kingdom*, according to the direction of the king, his governor, or the burgrave of Prague. As Maurice of Saxony was then at Prague, he also persuaded the states to renew with him the ancient compact between Bohemia and the house of Saxony, in order to counteract their engagements with the electoral branch.

“ During these transactions, he published, in the Bohemian tongue, the ban which the emperor had issued against the elector of Saxony and the landgrave of Hesse; declared that, in consequence of this ban, all alliances with those princes were dissolved; and forbade, under pain of death, all his Bohemian subjects from supplying them with succours or provisions.

“ The troops, however, who had been voted by the diet, and assembled at Katheren, rose into mutiny on receiving orders from their general, Wertmuhle, to make an irruption into the Voigtland, a part of the electoral dominions. They clamorously urged, that by the vote of the diet, they were collected to defend the country, not to pass the frontiers; they therefore refused to march against their ally, the elector of Saxony; declared the war to be unjust, and expressed their reluctance to commit hostilities against their fellow Christians, who, as well as themselves, received the holy communion under both kinds. The greater part, however, being at length prevailed upon by emissaries from Ferdinand to obey their orders, they marched

into the Voigtland, laid waste the country, defeated the electoral troops in two engagements, and after remaining in the field till the beginning of December, returned into Bohemia. At the close of the campaign, Ferdinand punished the disobedience of those troops who had refused to pass the frontiers; he arrested the ringleaders, condemned them to death, and after executing the most factious, pardoned the rest at the intercession of his queen.

"At the commencement of the next year, he hastened to mature his plan, and to liberate himself from the shackles imposed by the constitution, by an extraordinary act of authority, which none of his predecessors had ventured to exercise without the consent of the states.

"In a mandate bearing date the 12th day of January, 1547, he declared, 'John Frederic, late elector of Saxony, is preparing to invade Bohemia, and the territory of Maurice, duke of Saxony, and margrave of Misnia, and has with this view occupied the convent of Dobroluc, and two villages. The states of Lower Lusatia, as members of the crown of Bohemia, and prince Maurice, in virtue of the hereditary compact recently concluded at the diet of Prague, require succours. We, as king of Hungary, will bring into the field 14,000 men; our brother, the emperor, has sent troops to our assistance, and the Lusatians, Silesians, and Moravians are in motion. The Bohemians must also send an army into the field. It then ordered certain levies of men to be raised according to the feudal tenures; and to appear at Leutmeritz, with a month's provisions and pay. It concluded, 'Either we the king, or our son the archduke, will lead the army in person; and all who do not obey these our commands, shall, according to the laws of the land, be deprived of their honours, lives, and property.'

"This unprecedented act of authority excited general indignation, and the three towns of Prague were the foremost to resist its execution. When the deputies presented their remonstrance, Ferdinand indignantly replied, 'What we have commanded is for your advantage, and ye are culpable in acting contrary to our orders. We declare that you are guilty of all the former and present misfortunes in this war. God will punish your disobedience.' The deputies excusing themselves, by replying that they could not control the inclinations of the people, the king rejoined, 'We have told you our opinion, and we will

give you no other answer, since we have commanded nothing that is unjust. This is not the first time that you have been disobedient.' When the deputies presented a memorial, stating that the levy of troops ought to be approved by a general diet, he endeavoured to stimulate their pride by reproaches of disobedience and pusillanimity, and by recalling to their recollection the heroic courage of their ancestors. He concluded by saying, 'We are determined to prosecute this warfare, whether you will go with us or not. If you accompany us, you do us a favour, and we shall be inclined to treat you with kindness; but, if you persist in your disobedience, you are alone accountable for all the misfortunes which may overwhelm you.' These reproaches, being attended with no effect, Ferdinand quitted the city, full of indignation, and repaired to Leutmeritz. Here he found a numerous assembly of nobles, knights, and deputies of the towns who formed the states of that province which he had convoked. But from them he was assailed with the same remonstrances as had been made by the burghers of Prague. When the proposal for raising troops was laid before the meeting, they requested him to convoke a general diet, which could alone authorise the levy, and promised to support the proposition, if made according to custom and law; and they declared that the mandate of the 12th of January was contrary to their privileges and liberties. This remonstrance, conveyed in mild but firm expressions, convinced the king that it was necessary to have recourse to soothing measures. Having summoned the principal deputies into his presence, he condescended to inform them that the danger was too pressing to admit of delay, or to allow time for the convocation of a diet. He had promised assistance, he said, to Maurice of Saxony, who was encamped within only four miles of the enemy; he had already begun his march, and could not retreat without forfeiting his honour. He therefore entreated them not to forsake him, or compel him to disgrace himself by a breach of his promise. He engaged to recall the mandate of the 12th of January, and offered to give full security that no violation of their privileges should in future result from this step, and to declare that they took the field not from obligation, but from compliance with the request of their sovereign. The assembly, overcome by these professions, fulfilled his wishes as far as was consistent with the laws of their country. They gave to every baron, knight, and burgh-

er, liberty to follow, or not to follow the king to the field, freely and uncomelled, not for the purpose of succouring prince Maurice, not in obedience to the mandate of the 12th of January, nor in virtue of the recent compact with Maurice, but solely to defend the person of the king, and to protect him from danger. They also promised to persuade the other states of the kingdom to follow their example; and Ferdinand, after tendering his acknowledgments for these resolutions, continued his march to Dresden.

“During these transactions, the capital was the scene of tumult and alarm. The Calixtine members of nine circles, as well nobles and knights as deputies from the towns, flocking to Prague, united themselves with the citizens in a solemn confederacy, to defend those rights and privileges, ancient laws and customs, which had been granted by their sovereigns, and recently confirmed by Ferdinand. They also signed a memorial to the king, in which they earnestly requested him to convoke a diet at Prague, for the purpose of laying before all the states the affair of the levies; and they concluded by observing, that if he did not himself summon the diet, the states would of their own authority assemble on that day, and deliberate on the business.

“To their memorial the king made the same reply as to the states assembled at Leutmeritz; he promised to hold a diet in person at Prague, eight days after Easter; forbade them in the interim to assemble, and at the same time issued his summons to all the circles and towns.

“This measure might have pacified the states, had not the elector of Saxony gained a considerable advantage over the margrave of Brandenburgh, who was marching to the assistance of prince Maurice. The victory encouraged the Bohemians to persist in their opposition, while it filled Ferdinand with new apprehensions. He instantly despatched general Wertmuhle to Commotau, and ordered all the states of the kingdom to send troops under his command, and to supply with provisions the army of the emperor, who was advancing to Egra to protect Bohemia, and succour prince Maurice. But this mandate was not obeyed; the states, which had assembled at Prague, declared the summons of the king and Wertmuhle illegal, and expressed their resolution to maintain the hereditary compact with the elector of Saxony; they dispersed a printed letter through all

the circles, exhorting the nobles, knights, and towns, to join in their confederacy, and declared that those who did not present themselves before Easter should not be admitted. 'As numerous bodies of men were collecting in the neighbouring countries,' they gave directions for assembling an army to defend Bohemia, their native land, from all foreign attacks; to protect their wives and children, property and vassals, from the hand of violence, and to support each other against all aggressors. They even imposed a tax on all property for the maintenance of the national army, appointed a commander-in-chief, and made arrangements according to ancient custom. In case of extreme necessity, they summoned all who were capable of bearing arms into the field, and denounced confiscation of property and banishment against all who should refuse to serve. They moreover named a committee consisting of four nobles, four knights, and the magistrates of Prague, to act as delegates, with full powers, in the name of the three estates.

"Notice being brought that prince Maurice and his brother Augustus of Saxony had marched with more than 7000 troops to Brix, they issued instant orders throughout all the circles, to assemble levies for the purpose of resisting this invasion. They sent a remonstrance to the king, in which they expressed their surprise that foreign troops had entered Bohemia without the knowledge and approbation of the states, and with an implied threat of resistance, they exhorted him to induce the two dukes of Saxony to return. They also despatched messengers to the states of Moravia and Lusatia, announcing their common danger, and requesting succours.

"Ferdinand, in reply to these remonstrances, informed them that he was arrived at Brix, and in company with the two dukes of Saxony, was marching through Bohemia, to join the army of the emperor. His object, he declared, was to protect the kingdom against the elector of Saxony, who had been put under the ban of the empire, and who had not only occupied Joachimsthal and Presnitz, but had extorted an oath from the inhabitants to arm in his defence. The irruption of the emperor, with 20,000 Spanish veterans, into the province of Egra, excited general indignation and alarm; and the committee circulated their mandates, ordering all persons to repair to Prague for the purpose of marching against the enemy, while the burgh-

ers of the capital flocked in crowds to offer their personal services.

“Ferdinand, informed of these movements, testified his surprise and dissatisfaction that troops should be levied when no enemy was at hand, and when he himself was marching to join the emperor at Egra. He promised to prevail on the emperor not to pass through the kingdom, assured the states that he had no inclination to infringe their liberties, and again exhorted them to lay down their arms, and to wait in tranquillity his arrival at Prague. These representations from a sovereign who had excited the jealousy of his subjects by his innovations, were attended with no effect; the delegates justified their proceedings, and declared that they had taken up arms because the states had certain information of a design to overturn the constitution, destroy the kingdom, and extirpate the language of Bohemia. And, as the king and the chief burgrave to whom the defence of the crown belonged, were absent, they were compelled for their own security to levy an army, and appoint a commander, not to act against the king, but for the purpose of protecting his daughter, the archduchess, who was consigned to their care, and to secure their country from the invasion of foreign troops. They could not, they observed, revoke the summons, and prevent the levies; they therefore entreated his majesty to divert the emperor from the effusion of Christian blood, and to return to the capital without delay. At the same time the delegates assured the elector of Saxony of their fixed resolution to maintain and renew the ancient compact, summoned the states to come forward in defence of the crown, of their liberties, and native tongue; and earnestly exhorted them to remain true to the electoral house of Saxony, since the hereditary compact was a principal prerogative of the crown, and a rock of defence to the subjects. To the emperor, who remonstrated against their taking up arms, they replied they did not rise against him or their king, but in defence of their privileges, and in support of their ancient alliances. They exhorted him, as the head of Christendom, to spare the effusion of Christian blood, to be reconciled to the elector, and lead his own forces, with those of the Christian world, against the Turks, the inveterate enemies of the Christian faith.

“In the midst of these transactions the diet assembled at Prague, and the importance of the occasion drew such numbers

of deputies, that they overflowed the place of assembly, and crowded in the square before the palace. The hereditary compact between George Podiebrad and the elector of Saxony was read, and the public discontents were inflamed by the complaints of several officers, that the king had threatened to punish them with death if they refused to pass the frontiers.

“Two days afterwards, the royal commissioners being introduced, required the states in the king’s name to dismiss their troops, and dissolve their confederacy. These commands were enforced by an embassy from the emperor, who exhorted the states to lay down their arms, and pay due obedience to their lawful sovereign.

“Instead, however, of paying attention to these representations, the states drew up an apology for their conduct, and appointed ambassadors to the king and the emperor, who were commissioned to represent that the state of Bohemia had been, from time immemorial, accustomed for the sake of peace and unanimity, to contract confederacies with each other, of which the documents had been recently destroyed by fire. In regard to the levy of forces, their forefathers, they said, had always raised troops whenever a foreign army approached the frontiers, and they themselves had only acted in conformity with this ancient custom without the least intention of injuring the emperor or the king, their sovereign. They concluded by observing, that as the states had prorogued their meeting till the ensuing Whitsuntide, they hoped the ambassadors would, in the interim, obtain the king’s approbation, and induce him to mediate a peace between the emperor and the elector of Saxony, and then to lead an army against the Turks.

“Before the departure of the ambassadors, a messenger from Ferdinand announced the total defeat and capture of the elector of Saxony at Muhlberg; and, to discourage the states, the intelligence was publicly read before the diet. On this occasion, this numerous assembly evinced all the versatility of a popular body, easily roused, and as suddenly depressed. Those very men, who, with the hope of foreign assistance, had displayed such resolution to assert their liberties, the descendants of those who under Ziska had singly resisted or deposed their sovereigns, and spread terror throughout Germany, no sooner saw themselves deprived of foreign support, than they sank into a servility and despondency as degrading as their former presump-

tion and petulance were imprudent. Many of the members hastened from Prague, others who had unwillingly united in the confederacy, rejoiced, and all affected to join the royalists in their eager demonstrations of loyalty. The states congratulated the king on the victory, and represented, that as the war was now concluded, and as they fully confided in his gracious promise not to introduce foreign troops into Bohemia, they were willing to dismiss their levies, and permit the free transport of provisions to the imperial army. On the following day orders were issued to their commander-in-chief to disband their forces.

“Ferdinand made no other reply to these tardy offers of submission than threats and reproaches ; and without a moment’s delay prepared to avail himself of the advantages which he possessed over his humiliated subjects. He took his departure from Wittemberg with a considerable body of troops and heavy artillery, and on the 3rd of June reached Leutmeritz, where he received the submission of the inhabitants. Here he issued a circular letter to the towns of Prague and the provincial states, in which he reproached them for their recent misconduct, commanded them to renounce their confederacy, summoned those who were well affected to repair to Leutmeritz, under the promise of pardon, and threatened those with punishment who persisted in their contumacy.

“In consequence of these letters, nobles, knights, and deputies flocked in great numbers to Leutmeritz. The citizens of Prague alone gave symptoms of their former resolution ; they proposed to occupy the castle, and fortify the White Mountain ; and were not, without much difficulty, prevailed upon to renounce their fruitless opposition, and to dispatch their deputies. The states assembled at Leutmeritz, presented to the king a memorial, in which they declared that their only object in joining the confederacy was to promote the advantage of their country, and protect the prerogatives of the crown ; and they promised that they would the next day erase their signatures, tear off their seals, and defend their king against all his enemies with their lives and fortunes. The king thanked them for this proof of returning loyalty, and granted them his pardon, but reserved his severest vengeance against the contumacious citizens of Prague. He refused to admit their deputies into his presence ; he announced his intention to give an answer in per-

son, on the Sunday following, in the palace; he commanded the magistrates to prepare quarters for his troops, and, before the departure of the deputies, despatched a corps of Germans, who, entering Prague by night, anticipated the design of the citizens by occupying the castle.

"On the 2d of July, Ferdinand himself made his public entry, at the head of a numerous army. His troops occupied the gates and the bridge, quartered themselves in different parts of the city, and encamped on the banks of the Moldau. But even his own presence, and the awe inspired by so great a force, could not repress the indignation of the citizens. A wanton insult of the Germans, who fired on the burghers of the old town, and the sacking of a neighbouring village by the hussars, provoked the populace into a tumult, which nearly occasioned the renewal of the civil war. The burghers dislodged the royal troops from the bridge, and drew cannon to the banks of the Moldau to batter the castle where the king resided; they even prepared to renew the national confederacy, and sent letters to their adherents in the different circles, exhorting them to furnish speedy and effectual succours. But the revival of a contest which would have deluged the kingdom in blood, was prevented by the intervention of those leaders who were inclined to more moderate measures, and by the policy and affected mildness of the king, who disavowed the perpetrators of the outrages, and promised redress.

"The whole conduct of Ferdinand was calculated to increase the terror of the inhabitants; he prohibited the usual demonstrations of joy paid to the sovereign on his arrival, and forbade the magistrates to approach his person. On the 3rd, he summoned to the palace, the mayor, burgomasters, magistrates, councillors, jurors, elders, and two hundred and forty of the most distinguished citizens of the three towns. On the day appointed, these persons, amounting to more than six hundred, repaired to the palace, and had no sooner entered than the gates were closed and guarded. The king being thus master of the principal members of the three towns, and those who by their talents or influence might have roused the people to a desperate resistance, was enabled to impose his own terms. To impress them with additional terror, he appeared in all the parade of majesty, and with all the pomp of justice. He was habited in his royal robes, and seated on a lofty throne; beneath

him was his second son the archduke Ferdinand; and he was surrounded by the magnates of Moravia, Silesia, and Lusatia, who bore the highest offices of state, the duke of Teschen, the bishops of Olmutz and Troppau; the count of Lobcowitz stood before him with a drawn sword. Silence being proclaimed, numerous charges against the prisoners were read, after which the king expatiated on their rebellious proceedings, and commanded them to give an answer to each article of accusation.

“ Unable to justify themselves against the abrupt and heavy charge, Sixtus of Ottersdorf, secretary of the old town, humbly replied, in the name of all, that they would not presume to enter into any defence of their conduct with their king and master; but submitted themselves to his royal mercy, beseeching the intercession of the nobles, bishops, and counsellors, who were present; and the whole body falling on their knees, entreated pardon for their disobedience. They were suffered to continue for some time in this posture, and at length commanded by one of the officers of state to retire into the hall of justice, and therein remain imprisoned until the king had taken the advice of his judges. They retired, and, after several hours of suspense and agitation, the same officer of state informed them that the king, at the intercession of the archduke, princes, and lords, and of his own natural clemency, graciously pardoned their offences under certain conditions. They were to renounce their confederacy with the other states, and at the next diet to break their seals, erase their signatures, and to deliver up their letters and writings relating to their confederacy; to surrender without exception all the acts of their privileges and immunities, and to be satisfied with whatever the king should ordain or graciously restore; to bring all their artillery and ammunition to the palace, and the burghers their muskets, and all other arms except swords to the town house; to resign all their vassals and property to the king, and to his heirs the sovereigns of Bohemia; to cede all the tolls of the three towns, and to bind themselves to pay his majesty and his successors for ever a certain tax on beer and malt. They were informed, that if they would agree to these conditions, the king would pardon the whole people, and would punish none except a few persons who had behaved disrespectfully, and whom he had determined to chastise for the sake of justice and the welfare of the kingdom.

"On the recital of these hard terms, the prisoners required a short interval to obtain the consent of their fellow burghers. But it was too dangerous and too critical a moment for Ferdinand to permit the terror which he had impressed on their minds to subside, or allow men driven to despair, an opportunity of rousing the people by a public discussion of these rigorous articles. He therefore sternly rejected their request, and extorted from them an immediate ratification. Several of the least dangerous were then deputed to conciliate the burghers, and the remainder closely guarded in the apartments and vaults of the palace.

"On the following morning some of the prisoners were restored to liberty, on the condition of not retiring from Prague, and others released in the ensuing days. At length the remainder were all liberated, except forty of the most tumultuous and most dangerous, who were reserved as objects of public punishment.

"During this period, Ferdinand had sent a similar summons to all the towns of the kingdom, except the loyal towns of Pilsen, Budweiss, and Aussig. The chief burgomasters, counsellors, and elders were compelled to repair to the palace, and, like those of Prague, were imprisoned until they had surrendered all their estates, tolls, revenues, and privileges, and paid considerable penalties. But so rigorous was the confinement experienced by these unfortunate victims, and so deeply were their minds affected by the terrors of their situation, that many died, and others became frantic. Many of the nobles were also summoned before a court of justice to be tried for the crimes of which they were accused. Some flying from the terrors of such a tribunal, their goods were confiscated, and they were condemned to death; others appearing and surrendering themselves, twenty-six were selected and imprisoned; of these some were deprived of their possessions, others were compelled to pay heavy fines and to hold their estates as fiefs from the king; and two only were sentenced to public execution.

"As a close to these proceedings, a diet was summoned by the king, to meet at the palace of Prague on the 22d of August, 1547, and was attended by a numerous assembly, as all were now eager to give proofs of their loyalty. With a view to strike additional terror, Ferdinand opened the diet with the

execution of four of his principal prisoners, two of whom were knights, and the others of the third estate, of whom one Jacob Fikar, high judge of the kingdom, and burgrave of the old town, was in the seventieth year of his age.

“At the close of this tragedy, the assembly, which, from these executions, was stigmatised with the name of the *Bloody Diet*, was opened, and the king experienced the fullest submission to his decrees. The burgrave, or president, declared in the name of the lords and knights, that they had entered into the confederacy with no other view than to maintain peace and union in the kingdom ; and as it was the pleasure of their sovereign that the confederacy should be dissolved, they were ready to obey his commands. Instantly a committee of nobles tore the seals from the acts of the confederacy, which contained the signatures of one thousand seven hundred and thirty-six lords and knights, besides those of the towns. The high chancellor then declared, in the king’s name, to the deputies of the towns, that on account of their disobedience they deserved to be deprived of their seat at the diet, but, as a particular mark of favour, they were allowed to retain that right. All their privileges were to be examined, and those only restored which the king thought proper to confirm. The artillery, arms, and ammunition, which had been delivered up, were sent in thirty wagons to Vienna, and an additional fine was laid on the corporation of Prague.

“The forty prisoners who still remained in confinement were now brought from their dungeons. Eight were publicly whipped in each of the three towns ; and, before each flagellation, the executioner proclaimed, ‘These men are punished because they were traitors, and because they excited the people against their *hereditary master*,’ a title which Ferdinand now thought proper to assume. These eight, with a similar number, were banished, and the remaining four-and-twenty, after paying heavy fines, were restored to liberty.

“Having thus restored tranquillity and suppressed almost all seeds of future insurrections, Ferdinand introduced various regulations, which were calculated to strengthen his authority. He appointed in each town a court judge, who was to assist in all public meetings, and to take care that the royal authority received no detriment ; and, as he attributed the opposition made to his designs to the influence of the Lutheran doctrines,

he used every means to prevent their diffusion. He accordingly, in 1556, established in Bohemia the order of Jesuits, which he had introduced into his Austrian territories, and encouraged them to undertake the care of public education, which was the great instrument of their power. He appointed a committee for the revision and censure of all publications, and forbade the importation of all foreign works without their consent.

“Finally, he changed Bohemia from an elective to an hereditary monarchy ; he obtained the consent of the diet that his son Maximilian should be declared his successor, and in 1562 the prince was crowned as eldest son and heir to his father. By these measures, Ferdinand greatly extended the regal prerogative, and abolished the evils arising from elective monarchy ; he also restored tranquillity, and suppressed the factions of a volatile and turbulent people ; yet he, at the same time, depressed that energy of mind and military ardour which are inseparable from a free government and are fostered by civil contests, and checked that active commercial spirit which flourishes in the consciousness of independence. From this cause the towns, which had hitherto been remarkable for their commerce, wealth, and population, exhibited under his reign the first symptoms of decline, and the Bohemians began to lose that military fame which had rendered them the example and the terror of Europe.”

Thus was Bohemia subdued in 1547. But in the reign of Ferdinand II., seventy-two years after, at the beginning of the Thirty Years’ War, there was a second conquest of this unhappy country, by the Austrian power, which seems still more atrocious, inasmuch as then the Bohemians did not fail in heart, but were overpowered when exerting themselves to the utmost. It seems to have been wholly owing, in fact, to the want of skill and energy of their elected king, Frederic, Count Palatine, that they sustained a defeat at White Mountain, two years after the commencement of their movement, which was both for religious and political freedom. We cannot here enter into the whole history of the rise of the Thirty Years’ War, but must refer our readers to Coxe, Schiller, and others. It arose directly from the character of Ferdinand II., whose intolerance and inverteracy were its occasion, if not its cause. Educated by Jesuits, “from their instructions he derived that inflexible bigotry

and intolerance, and that hostility to the Protestants, which, at this period, formed the great characteristics of their order. He frequently expressed a resolution to live with his family in banishment, to beg his bread from door to door, to submit to every insult and calamity, to lose even his life, rather than suffer the true church to be injured. When he assumed the reins of government, he proved that these declarations were not the effusions of idle enthusiasm. He refused to confirm the privileges which his father Charles had granted to his Protestant subjects, and sent his commissioners to eject their preachers from the archducal domains; these commissioners being expelled, he collected troops to enforce the execution of his orders. In the interim he made a pilgrimage to Loretto, and bound himself by the most solemn vows, before the miraculous image, not to rest till he had extirpated all heresy in his dominions; at Rome he was consecrated by the hands of Clement VIII., and his resolutions were strengthened by the exhortations of the pontiff.

“Animated with a new spirit of intolerance, he returned in 1598 to his dominions. The first act of his government was a new order for the banishment of all the Protestant preachers and schoolmasters, and, in opposition to the remonstrances of the states, he carried this rigorous measure into execution by force. He supplied the place of the Protestant seminaries, by founding two convents of Capuchins at Gratz and Bruck, and colleges of Jesuits at Gratz, Laybach and Clagenfurth. Although two thirds of his subjects were Protestants, he ordered all who would not embrace the Catholic faith, to quit his dominions; and supplied the places of those who preferred banishment to the desertion of their faith, by introducing numbers of Catholics from Wallachia and the neighbouring provinces. To complete the expulsion of heresy, his commissioners, accompanied by an escort, passed from town to town, and from village to village, restoring the ancient temples to the Catholics, and demolishing the new churches and schoolhouses, which had been erected by the Protestants.

“The first symptoms of those troubles, which commenced in the Austrian territories and afterwards overspread all Europe, appeared in Bohemia. Ferdinand had not long received the crown before the Protestants perceived that the alarms derived from his principles and former conduct were not without foundation; for, from that moment, a new spirit seemed to animate

the counsels of the sovereign, and various acts of hostility to their doctrines evinced his baneful influence. Slavata and Martinetz, the two nobles who had proved their zeal for the Catholic faith by refusing to sign the peace of religion, were introduced into the council of regency, honoured with an unusual degree of confidence, and displayed their attachment to their future sovereign by persecuting their Protestant vassals. The zealous Catholics followed the example, and exulted in the prospect of a change of government which was likely to restore their ascendancy ; the Jesuits presumptuously proclaimed the new influence and favour which they had attained ; and one of the confidential ministers of Ferdinand himself did not scruple to point out the future objects of their vengeance, and to declare, that the restoration of tranquillity could only be effected by executions and confiscations, and by the revocation of the royal edict which had been extorted by force. These threats and rumours were aggravated by fear and religious antipathy ; and the Protestants looked forward to the commencement of the new reign as an era no less pregnant with horrors than the abominable massacre of St. Bartholomew. In the midst of this ferment the disclosure of the treaty with Spain contributed to add civil to religious grievances ; the illegal engagement for the eventual transfer of the crown to the Spanish branch, without even the knowledge of the states, alarmed a great part of the Catholics, who were no less tenacious of their elective rights than the Protestants of their religious privileges. In this situation it was impossible to restrain so turbulent a people as the Bohemians, animated with all the fury of political and religious animosity, and in count Thurn appeared another Ziska, who was capable of rousing, directing, and organising an insurrection.

“The impolicy and intolerance of the court soon furnished him with an opportunity to inflame a trivial discussion into open hostilities. It is a misfortune attending religious disputes in a peculiar degree, in which all parties act and reason on such discordant principles, that no public instrument can be worded in terms sufficiently clear and explicit to prevent all occasions of cavil. This was the case of the royal edict, [of Ferdinand’s predecessor] which seems by the spirit to grant liberty of worship with the privilege of constructing churches and schools only to the Calixtine or Protestant members of the states, whether

nobles, knights, or towns. But an explanatory clause in general terms, instead of rendering the meaning more specific, only made it more doubtful, and furnished the towns and vassals of ecclesiastics and lay Catholics with a pretext for claiming the same privilege. In consequence of this interpretation, the Protestant inhabitants of the town of Brunau and of Clostergraben, a village in the vicinity of Prague, began to erect churches and to perform divine service according to the Protestant ritual. The archbishop of Prague and the abbot of Brunau, to whom the respective places belonged, considering these acts as an infringement of their feudal rights, obtained a prohibition from the government. The Protestants, however, instead of obeying the order, were encouraged by the defenders of their religion to persevere; and these and other prohibitions of the sovereign induced the Protestant states of Bohemia and its dependencies to enter into a formal confederacy for the security and defence of their rights and privileges. They followed this engagement by a petition for redress in the affair of Brunau and Clostergraben; and at the same time renewed their compacts and treaties with some of the Protestant princes of Germany.

“Encouraged by this confederacy, the Protestants proceeded with new vigour, and the churches were completed, notwithstanding Matthias himself expressed his disapprobation to count Thurn, and declared their conduct an infraction of the royal edict. But though he was disposed to connive at this disobedience, Ferdinand was not inclined to the same acquiescence, and soon after his coronation, an order, obtained by his influence, was issued by the court, commanding the surrender or demolition of the newly constructed churches. The archbishop instantly executed the order at Clostergraben; but at Brunau the people opposed their abbot, and sent deputies to Matthias, requesting the revocation of his mandate. Instead, however, of obtaining redress, their deputies were arrested, and an imperial commission despatched to shut up the church, and suppress the Protestant worship in Brunau.

“These acts, of which numerous precedents had been given in Germany and in the Austrian territories, might at any other time have produced a trifling dispute, which would have soon sunk into oblivion; but amidst the general ferment, and in the powerful hands of count Thurn, they became the instrument

which excited an insurrection, and occasioned the Thirty Years' War."

We omit the account of the ensuing hostilities, and of the process by which the Bohemians came to the point of making an effort to eject Ferdinand from the throne of their kingdom, just at the moment that he attained the imperial dignity.

"A general diet of the states of Bohemia, Moravia, Silesia, and Lusatia assembled at Prague, soon after the departure of Ferdinand from Vienna. Having formed a confederacy for the maintenance of their civil and religious privileges, they were joined by the Protestants of Upper and Lower Austria, as well as by many of the discontented magnates of Hungary, and were encouraged by assurances of immediate support from Bethlehem Gabor. They then proceeded to draw up a list of their grievances, in which they urged that the election of Ferdinand had been informal, that he had broken his coronation oath, by interfering in the government during the life of Matthias, had commenced the war by his own authority, and sent foreign troops to devastate their country; finally, that he had infringed their right of election, by entering into engagements, without the consent of the states, to transfer the eventual succession of the crown to the Spanish princes, and thus to reduce them under a foreign, hateful, and despotic yoke. On these grounds they declared that Ferdinand had forfeited his dignity, and, in virtue of their supposed right of election, proceeded to nominate a new sovereign.

"On this important article, they were, however, less unanimous than on the point of exclusion. The Catholics being too weak and inconsiderable to take any essential share in the election, the remainder of the states were divided between the choice of a Lutheran or Calvinist sovereign. The Lutherans were the most numerous, the Calvinists the most active and artful, and supported by the Picards, or Bohemian brethren, a remnant of the ancient Hussites. The Calvinists suffered the Lutherans to offer the crown to the elector of Saxony, who, they were aware, would refuse the proffered dignity; and he had no sooner declined it than they turned the choice of the states in favour of the elector Palatine, who was nominated with only six dissenting voices, two days before Ferdinand was raised to the imperial throne. To give an appearance of greater weight to the new election, the states of Moravia, Silesia, and Lusatia

were allowed to participate in the choice, a right before often claimed, but never admitted.

“Although Frederic had anxiously laboured to secure this dignity, and had previously resolved to accept it, yet he had no sooner gained his object, than he hesitated to encounter the dangers with which the crown was surrounded. He sought advice and encouragement from those with whom he was connected by blood or interest. He was earnestly dissuaded by his mother, by the electors of Saxony and Brandenburgh, by the duke of Bavaria, and, above all, by his father-in-law, the king of England, who declared, that he would not patronise revolted subjects against their lawful sovereign, and would neither acknowledge his title nor afford him support. On the other hand, the wavering resolutions of Frederic were strengthened by his uncles, Maurice, prince of Orange, and the duke of Bouillon, by his favourite counsellor, Christian of Anhalt, by the majority of the Protestant league, and by Bethlehem Gabor, with whom he had entered into the closest connection.”

The closing catastrophe of the hostilities that immediately followed the election of Frederic, is all we have room to insert.

“They took post on the White Mountain, as the last resource for the defence of the capital, and behind its ravines and declivities began to construct intrenchments, in order to defy the assaults of the enemy. The duke of Bavaria, however, did not allow them time to prepare for defence ; he resolved to drive them from their last refuge before they had recovered from the confusion of a retreat, and while his own troops were warm in the pursuit. He reached the vicinity of Prague on the morning of the 8th of November, 1620, and ere noon had reconnoitred their position and commenced his attack. His troops overcame all obstacles ; the Hungarian cavalry was instantly defeated and dispersed : and although the Moravians, under the prince of Anhalt and the young count Thurn, balanced the fortune of the day by their heroic resistance, the victory was decided in favour of the imperialists within the short space of an hour. With the loss of only three hundred men, they took all the artillery, a hundred standards, left 4000 of the enemy dead on the field, and drove 1000 into the Moldau ; and thus, at one blow, dissipated the short-lived hopes of Frederic, and decided the fate of Bohemia.

“The citizens of Prague, deserted by their elected sovereign, had no other alternative than to submit themselves to the mercy of the emperor, and on the following day opened their gates to the conqueror. All the indulgence they could obtain was an exemption from plunder; the states who were immediately convened, took an unconditional oath of allegiance, dissolved their confederacy, and surrendered their arms. These arrangements being completed, the duke of Bavaria delivered the reins of government to prince Charles of Lichtenstein, in obedience to the appointment of the emperor; and after leaving a garrison in the town under the command of Tilly, returned triumphantly to Munich, laden with the spoils of the unfortunate kingdom.

“Three months elapsed without the slightest act of severity against the insurgents of Bohemia. Many, lulled into security by this doubtful calm, emerged from their hiding places, and the greater part remained quiet at Prague, though secretly warned of their danger even by Tilly himself, who was no pattern of lenity or forbearance. But in an evil hour all the fury of the tempest burst upon their heads. Forty of the principal insurgents were arrested in the night of the 21st of January, 1621, and after being imprisoned four months, and tried before an imperial committee of inquiry, twenty-three were publicly executed, their property confiscated, and the remainder either banished or condemned to perpetual imprisonment. A sentence of proscription and confiscation of goods was published against count Thurn, and twenty-seven of the other chiefs, who had fled from the country. Nor were these examples confined only to those who had been openly concerned in the rebellion; for a mandate of more than inquisitorial severity was issued, commanding all landholders who had participated in the insurrection to confess their delinquencies, and threatening the severest vengeance if they were afterwards convicted. This dreadful order spread general consternation: not only those who had shared in the insurrection acknowledged their guilt, but even the innocent were driven by terror to self-accusation; and above seven hundred nobles and knights, almost the whole body of landholders, placed their names on this list of proscription. By a mockery of the very name of mercy, the emperor granted to these unfortunate victims their lives and honours, which they were declared to have forfeited by their own confession; but gratified his vengeance and rapacity by confiscating the whole

or part of their property, and thus reduced many of the most loyal and ancient families to ruin, or drove them to seek a refuge from their misfortunes in exile or death.”*

We might naturally suppose that this was the end of Bohemia; but “in the lowest deep a lower deep, still threatening to devour them, opened wide.”

Not ten years had elapsed before in a temporary truce of the Thirty Years’ War, Ferdinand II. commenced a persecution of his Protestant subjects everywhere.

“But it was in Bohemia, so long exposed to his antipathy as the seat of religious liberty, and where three-fourths of the natives were Protestants, that he acted with a rigour and cruelty which surpassed all the horrors of the inquisition itself. He commenced his persecutions by ejecting the preachers, school-masters, and professors, and delivering the churches to monks, whom he collected indiscriminately from all quarters of Europe. He then prohibited all persons who were not Catholics from exercising any trade or handicraft, laid the severest fines on those who preserved even in secret the slightest remnant of their former worship, declared Protestant marriages and baptisms null, wills made by Protestants invalid, and even drove the poor, the sick, and the distressed from the almshouses and hospitals. Then began a series of persecutions, from the recollection of which the mind recoils with horror. In the capital the Protestant burghers were expelled with their wives and children, and the poorer orders compelled to become Catholics. The other towns, and even the remotest villages, were visited by missionary deputations of Jesuits and Capuchin friars, accompanied by a military force, and were abandoned to every species of monkish barbarity and military licentiousness. Those who were enabled to seek a refuge in exile were comparatively fortunate. The slightest degree of persecution inflicted on those

* Pelzel, p. 731-742. Several native and Catholic writers endeavour to extenuate the cruelty of Ferdinand, by declaring that he was with difficulty induced to make these dreadful examples; and was overborne by the representations of his ministers and the Jesuits. Admitting this fact, it is no exculpation of his conduct to assert that he acted unjustly by the advice of his ministers. But the preceding and subsequent transactions, as well as the general character, the relentless disposition, and the deep-rooted prejudices of Ferdinand, furnish ample evidence that he wanted no external impulse to commit acts of persecution and cruelty against the Protestants.

who remained was, to imprison the men, give up their houses to pillage, and expose their wives and children to all the outrages of the soldiery. Some were massacred without mercy; some hunted and driven like wild beasts to the woods and mountains, some dragged to processions and masses with every species of insult and cruelty, and those who ventured to oppose these enormities were racked and mutilated, or put to death with tortures too shocking for humanity to describe.

“In the midst of these horrors Ferdinand himself repaired to Prague to nominate and crown his son as his successor. After affecting to display his clemency, by confirming to the states their power of taxation and other civil privileges, he abolished their right to elect a king, forbade the use of the Bohemian tongue in all public transactions, and set the seal to all the enormities which had been perpetrated under his authority, by abrogating the royal edict of toleration. He formally restored the order of the clergy to their rank in the states, from which they had been expelled during the Hussite wars; finally, he consummated his vengeance against the Protestants, by declaring that he would tolerate no religion except the Catholic; and he banished all those who within a specified time refused to return to the bosom of the church. By this act of persecution he drove 30,000 families, with all their servants and retainers, from the kingdom, including the most learned, the richest, and most industrious portion of the community, and thus inflicted on Bohemia a wound from which it has never recovered.

“It is a tribute of justice to sound policy, as well as to humanity, to finish this picture by introducing the reflections of the native historian, who, being a Catholic and a subject of the house of Austria, cannot be suspected of exaggeration or partiality. ‘The records of history scarcely furnish a similiar example of such a change as Bohemia underwent during the reign of Ferdinand II. In 1620, the monks, and a few of the nobility only excepted, the whole country was entirely Protestant; at the death of Ferdinand it was, in appearance at least, Catholic. Till the battle of the White Mountain the states enjoyed more exclusive privileges than the parliament of England; they enacted laws, imposed taxes, contracted alliances, declared war and peace, and chose or confirmed their kings; but all these they now lost. Previous to that period the Bohemians were considered as a warlike nation, and had often won military

fame ; the annals of history recorded, 'The Bohemians took the field ; the Bohemians stormed the fortifications ; the Bohemians gained the victory ;' but they are now blended with other people, they are no longer distinguished as a nation in the field of battle, and no historian has consigned their posterity to glory. Till this fatal period the Bohemians were daring, undaunted, enterprising, emulous of fame ; now they have lost all their courage, their national pride, their enterprising spirit. They fled before the Swedes like sheep, or suffered themselves to be trampled under foot. Their courage lay buried on the White Mountain. Individuals still possessed personal valour, military ardour, and a thirst of glory, but, blended with other nations, they resembled the waters of the Moldau which join those of the Elbe. These united streams bear ships, overflow lands, and overturn rocks ; yet the Elbe only is mentioned, and the Moldau forgotten. The Bohemian language, which was used in all the courts of justice, and was in high estimation among the nobles, fell into contempt ; the German was introduced, became the general language among the nobles and citizens, and was used by the monks in their sermons ; the inhabitants of the towns began to be ashamed of their native tongue, which was confined to the villages, and called the language of peasants. The arts and sciences, so highly cultivated and esteemed under Rodolph, sank beyond recovery. During the period which immediately followed the banishment of the Protestants, Bohemia scarcely produced one man who became eminent in any branch of learning. The Caroline university was under the direction of the Jesuits, or suppressed ; by order of the pope all promotions were stopped, and no academical honours conferred. A few patriots, both among the clergy and laity, murmured openly, though ineffectually ; others sighed in secret over the downfall of literature. The greater part of the schools were conducted by Jesuits and other monkish orders, and nothing taught therein but bad Latin. It cannot be denied, that several of the Jesuits were men of great learning and science ; but their system was, to keep the people in ignorance ; agreeably to this principle, they gave their scholars only the rind, and kept to themselves the pulp of literature. With this view they travelled from town to town as missionaries, and went from house to house, examining all books, which the landlord was compelled, under pain of eternal damnation, to produce. The greater

part they confiscated and burnt, so that a Bohemian and a rare book are synonymous terms. They thus endeavoured to extinguish the ancient literature of the country, laboured to persuade the students that, before the introduction of their order into Bohemia, nothing but ignorance prevailed, and carefully concealed the learned labours, and even the names of our ancestors. Such was their despotism, that the collections and writings of the patriotic Balbinus, on the literature of the ancient Bohemians, could not be published till after the extinction of their order. In a word, from this period the history of Bohemia ceases, and the history of every nation in Bohemia begins."

We must content ourselves with giving only so much of the atrocities of the Thirty Years' War. Nothing less than a detail of all its events would truly fill out the programme suggested by the title of our little book. It was in this war that was first invented the terrible system of provisioning an army at the expense of the country invaded or defended, which was acted out so terrifically by Tilly and Wallenstein, and served to increase a hundredfold all the former horrors of war.

The picturesque pages of Schiller can be consulted for these details. We extract only his account of the sack of Magdeburg.

"Two gates were now opened by the storming party for the main body, and Tilly marched in with part of his infantry. Immediately occupying the principal streets, he drove the citizens with pointed cannon into their dwellings, there to await their destiny. They were not long held in suspense; a word from Tilly decided the fate of Magdeburg.

"Even a more humane general would in vain have recommended mercy to such soldiers; but Tilly never made the attempt. Left by their general's silence masters of the lives of all the citizens, the soldiery broke into the houses to satiate their most brutal appetites. The prayers of innocence excited some compassion in the hearts of the Germans, but none in the rude breasts of Pappenheim's Walloons. Scarcely had the savage cruelty commenced, when the other gates were thrown open, and the cavalry, with the fearful hordes of the Croats, poured, in upon the devoted inhabitants.

"Here commenced a scene of horrors for which history has no language—poetry no pencil; neither innocent childhood

nor helpless old age, neither youth, sex, rank, nor beauty, could disarm the fury of the conquerors. Wives were abused in the arms of their husbands, daughters at the feet of their parents, and the defenceless sex exposed to the double sacrifice of virtue and life. No situation, however obscure, or however sacred, escaped the rapacity of the enemy. In a single church fifty-three women were found beheaded. The Croats amused themselves with throwing the children into the flames; Papenheim's Walloons with stabbing infants at the mother's breast. Some officers of the league, horror-struck at the dreadful scene, ventured to remind Tilly that he had it in his power to stop the carnage. "Return in an hour," was his answer; "I will see what I can do; the soldier must have some reward for his danger and toils." These horrors lasted with unabated fury, till at last the smoke and flames proved a check to the plunderers. To augment the confusion and to divert the resistance of the inhabitants, the imperialists had, in the commencement of the assault, fired the town in several places. The wind rising rapidly, spread the flames, till the blaze became universal. Fearful indeed was the tumult amid clouds of smoke, heaps of dead bodies, the clash of swords, the crash of falling ruins, and streams of blood. The atmosphere glowed; and the intolerable heat forced at last even the murderers to take refuge in their camp. In less than twelve hours that strong, populous, and flourishing city, one of the finest in Germany, was reduced to ashes, with the exception of two churches and a few houses. The Administrator, Christian William, after receiving several wounds, was taken prisoner with three of the burgomasters. Most of the officers and magistrates had already met an enviable death. The avarice of the officers had saved four hundred of the richest citizens, in the hope of extorting from them an exorbitant ransom. But this humanity was confined to the officers of the league, whom the ruthless barbarity of the imperialists caused to be regarded as guardian angels.

"Scarcely had the fury of the flames abated, when the Imperialists returned to renew the pillage amid the ruins and ashes of the town. Many were suffocated by the smoke; many found rich booty in the cellars, where the citizens had concealed their more valuable effects. On the 13th of May Tilly himself appeared in the town, after the streets had been cleared of ashes and dead bodies. Horrible and revolting to humanity, was

the scene that presented itself. The living crawling from under the dead, children wandering about with heart-rending cries, calling for their parents; and infants still sucking the breasts of their lifeless mothers. More than six thousand bodies were thrown into the Elbe to clean the streets; a much greater number had been consumed by the flames. The whole number of the slain was reckoned at not less than thirty thousand.

“The entrance of the general, which took place on the 14th, put a stop to the plunder, and saved the few who had hitherto contrived to escape. About a thousand people were taken out of the cathedral, where they had remained three days and two nights, without food, and in momentary fear of death. Tilly promised them quarter, and commanded bread to be distributed among them. The next day a solemn mass was performed in the cathedral, and a Te Deum sung amidst the discharge of artillery. The imperial general rode through the streets, that he might be able, as an eye-witness, to inform his master that no such conquest had been made since the destruction of Troy and Jerusalem. Nor was this an exaggeration, whether we consider the greatness, importance, and prosperity of the city razed, or the fury of its ravagers.” *

We have been led somewhat out of chronological order, in order to give a unity of impression with respect to the wrongs of Bohemia.

We now turn to Italy, among the stationary nations the mother country of constitutional liberty. And here we shall take for our guide the wise, the just, the liberal Sismondi, whose larger work upon the Republics of Italy ought to be translated into English, and studied by every American. We cannot take time and space here to introduce the history of the influence of the House of Austria upon Italy, by even a succinct account of the origin of the imperial claims there. It may be maintained, with some justice, that owing to previous circumstances of situation, the Constitution of the kingdom of Italy, its prosperity, and even its freedom, grew together, under the earlier German Emperors. “But,” says Sismondi, “the war of investitures, which lasted more than sixty years, having accomplished the dissolution of every tie between the different members of the kingdom of Italy, the peace of Constance, in 1183, by the

* Schiller’s Thirty Years’ War.

establishment of a legal liberty, brought to a close the first and most noble struggle which the nations of modern Europe have ever maintained against despotism." "By this peace, the emperor renounced all the regal privileges which he had hitherto claimed in the interior of towns. He acknowledged the right of the confederate cities to levy armies, to enclose themselves within fortifications, and to exercise, by their commissioners, within their own walls, both civil and criminal jurisdiction. The consuls of towns acquired, *by the simple nomination of the people*, all the prerogatives of imperial vicars. The cities of Lombardy were further authorised to *strengthen their confederation* for the defence of these just rights. On the other side, they engaged to maintain certain rights of the Emperor, which were defined at the same time; and in order to avoid all disputes, it was agreed that these rights might always be bought off by the annual sum of 2000 marks of silver."

There were, it is true, some struggles afterwards, with regard to these same rights, but the result of these struggles was, in the end, the greater independence of Italy; and it was in consequence of domestic troubles, of the ambition of the Popes within Italy, that the French were first called thither. When Rodolph of Hapsburg became Emperor, he sacrificed imperial rights in Italy, which, on the whole, were more favourable to its freedom than the influence of the house of Anjou, which replaced them. But he did it without knowing it, and because his sole object at the moment was to gain from Pope Gregory X. a recognition of his title to the Empire. When he afterwards discovered what he had ignorantly done, he made some movements to resume them, but he was obliged, by Nicholas III., to acknowledge his own diplomas, and from that period, 1278, the republics as well as the principalities, situated in the whole extent of what is now called the States of the Church, held of the Holy See, and not of the Emperor.

It was at the period when the Austrian family was first growing in power, by preying on those parts of Europe nearer at hand, that, from a variety of concurring causes, the Republics of Italy became the paramount power in the Peninsula. Sismondi has given a beautiful picture of its aspect at this time in his *Italian Republics*, Chap. V. We make a single extract:

"The cities, surrounded with thick walls, terraced, and guarded by towers, were, for the most part, paved with broad flagstones;

while the inhabitants of Paris could not stir out of their houses without plunging into the mud. Stone bridges of an elegant and bold architecture were thrown over rivers ; aqueducts carried pure water to the fountains. The palaces of the podestas and signorie united strength with majesty. The most admirable of those of Florence, the Palazzo Vecchio, was built in 1298. The Loggia in the same city, the church of Santa Croce, that of Santa Maria del Fiore, with its dome, so admired by Michael Angelo, were begun by the architect Arnolfo, scholar of Nicolas di Pisa, between the years 1254 and 1300. The prodigies of this first born of the fine arts multiplied in Italy : a pure taste, boldness, and grandeur struck the eye in all the public monuments, and finally reached even private dwellings ; while the princes of France, England, and Germany, in building their castles, seemed to think only of shelter and defence. Sculpture in marble and bronze soon followed the progress of architecture : in 1300, Andrea de Pisa, son of the architect Nicolas, cast the admirable bronze gates of the Baptistry at Florence : about the same time, Cimabue and Giotti revived the art of painting, Casella music, and Dante gave to Italy his divine poem, unequalled in succeeding generations. History was written honestly, with scrupulous research and with a graceful simplicity, by Giovanni Villani, and his school ; the study of morals and philosophy began ; and Italy, ennobled by freedom, enlightened nations till then sunk in darkness.

“The arts of necessity and luxury had been cultivated with not less success than the fine arts ; in every street, warehouses and shops displayed the wealth that Italy and Flanders only knew how to produce. It excited the astonishment and cupidity of the French or German adventurer, who came to find employment in Italy, and who had no other exchange to make than his blood, against the rich stuffs and brilliant arms which he coveted. The Tuscan and Lombard merchants, however, trafficked in the barbarous regions of the West, to carry there the produce of their industry. Attracted by the franchises of the fairs of Champagne and Lyons, they went thither, as well to barter their goods, as to lend their capital at interest to the nobles, habitually loaded with debt ; though at the risk of finding themselves suddenly arrested, their wealth confiscated, by order of the king of France, and their lives, too, sometimes endangered by sanctioned robbers, under the pretext of repressing

usury. Industry, the employment of a superabundant capital, the application of mechanism and science to the production of wealth, secured the Italians a sort of monopoly through Europe; they alone offered for sale what all the rich desired to buy; and notwithstanding the various oppressions of the barbarian kings, notwithstanding the losses occasioned by their own often repeated revolutions, their wealth was rapidly renewed. The workmen, the interest of capital, and the profit of trade, rose simultaneously, while every one gained much and spent little; manners were still simple, *luxury was unknown*, and the future was not forestalled by accumulated debt."

We might go on farther to speak of Pisa and Genoa. "It is difficult to comprehend how two simple cities could put to sea such prodigious fleets as those of Pisa and Genoa." But we merely wish to point attention towards what Italy was, when left to develop its genius, unrestrained by foreign influence. We pass from this period of prosperity over two hundred years, to the time when Maximilian entered into the league of Cambray. In 1301, Boniface VIII. called Charles of Valois to intervene in the affairs of Tuscany; and the same year the Papal Court was transferred into France. In 1313, the emperor Henry VII. invaded Italy, to intervene in the affairs of Lombardy. In 1327, Louis IV. followed, for the same purpose; and later, Charles IV., his successor. This foreign influence was against republicanism, in favour of the aristocratical families who wished to tyrannise in their respective states. When Charles VIII. of France invaded Italy, in 1492, there was no longer to be found, throughout the peninsula, "that power of a people, whose every individual will tends to the public weal; whose efforts are all combined for the public benefit and the common safety. The princes of that country could appeal only to order and the obedience of the subject, not to the enthusiasm of the citizen, for the protection of Italian independence."

The league of Cambray, (we here translate rather freely from Sismondi's larger work), was the first enterprise in which all the civilised states of Europe joined, after the crusades. For the first time, the sovereigns of nations made an agreement to partition between themselves an independent state; reviving, by means of pedantic erudition, superannuated pretensions; and claiming imprescriptable rights of legitimacy. The crusades had united Europe on the foundation of religious zeal and en-

thusiasm;—in the league of Cambray was developed a new principle of union, the personal and momentary interest of the strong to despoil the weak. To this event we must assign the origin of the international law (*du droit public*), which, for the last three hundred and fifty years, has governed Europe. It commenced by the most crying injustice; and the diplomatic science which was, as it were, born with the sixteenth century, has served ever since to give pretexts to rapacity and bad faith.

The league of Cambray was an agreement between the Pope, Louis XII., and Maximilian I., to divide all the *terra firma* of the Venetian states. Pope Julius II. had the best foundation for his claims, which were for a restitution to the States of the Church of what the Venetians had taken from them by violence and treachery, in the preceding century. As he could not obtain it from themselves, however, he consented to receive it from the hands of Louis XII. and Maximilian, who combined to despoil the republic. The claims of Louis XII. were made for provinces, which, when he had subjugated Milan, he had himself ceded to the Venetians as the price of their assistance to him, but which he now claimed on the score of the imprescriptable right of the Visconti family, of which he had become heir. Maximilian, on his side, regarded himself as the legitimate successor, not only of the most powerful German monarchs, but of the Roman emperors; and claimed all the powers which had been exercised by Frederic Barbarossa, Otho the Great, and even by Trajan and Augustus.

It is difficult to do justice to the absurdity of these claims. As to imprescriptible rights, says Sismondi: “Venice, which presented itself as the most ancient state of Christendom, as the only legitimate daughter of the Roman republic could plead rights anterior to those of all the sovereigns.” “The only basis of international law (*du droit public*), which can sustain profound examination, is that of national compact. The interest of nations requires the preservation of their repose; and to guarantee this repose, it may, in some instances, admit legitimacy, not as a right, but as a presumption of the national will. It may also admit prescription, not as a right, but as a presumption of the mutual satisfaction of all parties. It may admit treaties as the only means of disarming popular hatred, and of saving the vanquished from the rage of the vanquisher; but then it must admit also the violation of these same treaties,

as the only and the necessary remedy, when cruel and dishonorable conditions have been imposed by the abuse of force. In this case the violation can even become just; for neither the government which has stipulated has the right to bind the nation to a shameful and ruinous thing, nor has the present generation a right, for its own advantage, to bind posterity to their ruin. National interest, which leaves a hope to the vanquished, on whom a dishonouring treaty has been imposed, teaches the vanquishers, for their own sake, not to abuse victory." "But with whatever fallacious arguments the potentates who despoiled Venice coloured their pretensions, cupidity, jealousy, and envy, were the true motives which armed them. With less than three millions of subjects, upon a territory of less extent than a sixth part of France, of Spain, or of Germany, Venice ranked with the greatest empires. It had sustained in turn, the attacks of Muselman, French, and Spaniards, without giving any signs of weakness; the richest commerce animated the capital; numerous manufactories flourished in all the surrounding cities; the fields prospered by an industrious agriculture; immense water-works had been achieved, which enriched the soil; and the people were happy. The subjects of the neighbouring monarchs, comparing their own poverty with so much strength, opulence, and security, were tempted to ask in what consisted the difference; and to answer to themselves, that, in Venice were seen neither the senseless luxury of a voluptuous court; nor the degradations of courtier-ministers and their subalterns; nor the petulant ignorance, and ruinous intrigues, of their young favourites. Venice, without pretending to give lessons, without being near perfection, was yet a living satire upon other governments; and the latter, by instinct and without being able to render an account of their motives, had long desired to destroy it."

To give all an interest in the destruction of the only state sufficiently strong to maintain the independence of Italy, Louis and Maximilian agreed to divide between themselves all the *terra firma* of the Venetians; to abandon to Ferdinand all the fortresses in Apulia; to the pope, the lordships in Romagna, and to the houses of Este and Gonzaga, the small districts near the Po."

The war began, January 1509, by the Pope's excommunicating the Doge and the Republic, and France commencing hostil-

lities. In the war, there was nothing so terrible to the Venetians as the action of the German army of Maximilian. "No sooner did the Germans enter the Venetian cities, than they plunged into the most brutal debauchery ; offending public decency, and exercising their cruelty and rapacity on all those who came within their reach." At the siege of Padua, after great efforts on the part of Maximilian, the incredible valour of the Venetians, who had driven into the city most of their forces, induced him to raise the siege. "But these barbarians, who came to dispute with the Italians the sovereignty of their country, did not need success to prove their ferocity. After having taken from the poor peasant, or the captive, all that he possessed, they put him *to the torture* to discover hidden treasure, or to extort ransom from the compassion of friends.—In this abuse of brute force, the Germans showed themselves the most savage, &c."

And Maximilian personally made himself responsible for these horrors.

"Pope Julius II. soon began to hate his accomplices in the league of Cambray. Violent and irascible, he had often shown in his fits of passion that he could be as cruel as the worst of them. But he had the soul of an Italian. He could not brook the humiliation of his country and its being enslaved by those whom he called barbarians. Having recovered the cities of Romagna, the subject of his quarrel with the Venetians, he began to make advances to them. At the end of the first campaign, he entered into negotiations, and on the 21st of February, 1510, granted them absolution. He was aware that he could never drive the barbarians out of Italy but by arming them against each other ; and as the French were those he most feared, he had recourse to the Germans. It was necessary to begin with reconciling the Venetians to the emperor ; but Maximilian, always ready to undertake everything, and incapable of bringing anything to a conclusion, would not relax in a single article of what he called his rights. As emperor, he considered himself monarch of all Italy, and although he was always stopped on its frontier, he refused to renounce the smallest part of what he had purposed conquering. He asserted that the whole Venetian territory had been usurped from the empire ; and before granting peace to the republic, demanded almost its annihilation."

War, of course, was continued, and in the course of three years the French were driven from Italy, and an alliance formed between Venice and France, for the purpose of driving out the Germans. This alliance was inherited, or renewed by Francis I., who encountered the enemy at Marignano, in the battle of which Marshal Trivulzio declared that every other of the eighteen pitched battles he had seen seemed to him children's play in comparison. At this battle of the giants, as he termed it, 20,000 dead were left on the field. "This horrible butchery hastened the conclusion of the wars which arose from the league of Cambray. On the 15th of January, 1516, a peace was signed between France and Spain, and Maximilian alone remained at war with the republic. During the campaign of that year, his German army continued to commit the most enormous crimes in the Veronese March. Want of money, however, in the end, compelled Maximilian to consent to the treaty of Noyon, already signed by the French king. He evacuated Verona on the 14th of December, and the Venetians were once more put by the French in possession of all the states of which the league of Cambray had proposed the partition; but their wealth was annihilated, their population reduced to one half, their constitution itself broken; and they were never after in a state to make those efforts for the independence of Italy, which might have been expected from them before this devastating war."

When Maximilian died, January 19th, 1519, leaving his hereditary states of Austria to his grandson Charles, already sovereign of Spain, the two Sicilies, the Low Countries and Burgundy, Italy, indeed the whole of Europe, was endangered by the immeasurable growth of this young monarch's power. "Leo X. therefore made preliminaries for an alliance with Francis I., in order to strengthen himself against him. But suddenly, with characteristic want of reflection, changing sides, he signed a secret treaty with Charles V. to engage him to drive the French out of Italy. The question for Italy was now no longer the distribution of its provinces between different potentates, but its very existence. Foreign nations for the future were to fight their battles on its ground, and at its expense. Leo's inconsiderate action compromised the independence even of the States of the Church, where perhaps yet remained a germ of the individuality of Italy among the nations. Of all the misfortunes that ever came upon Italy, none was so terrible in

its instant barbarity, or so hopeless for its future, (for it sealed its ruin,) as this war in Italy of Charles V. against Francis I. As our purpose is more especially to illustrate the character of Charles, as a member of the House of Hapsburgh, it is of no consequence that the object aimed at in this instance was the aggrandizement of Spain, rather than of the archduchy of Austria, which was now ceded to Ferdinand I. We are obliged, from this time, to look in two directions for the crimes of the family. While Ferdinand, in the East of Europe, was destroying Bohemian liberties, and encroaching upon Hungary, Charles began his successes in Lombardy with the siege of Pavia, which ended in the defeat of the French, and the imprisonment of Francis I.; and soon Italy fully comprehended that it was at the mercy of the conqueror.

It is not possible, in this slight work of ours, to explain intelligibly, to those not familiar with the history of this period, how it was, that at this moment all things concurred to put Italy so much into the power of a single man. Sismondi, in his larger work on the Italian republics, makes it perfectly clear. We must content ourselves with stating the fact; and alas for the country that had no hope for its rights but in the mercy and the justice of a member of the House of Hapsburgh!

“The evil destiny of Italy was accomplished by Charles V., although it was the French Charles VIII., who, by invading the country thirty-six years before, had opened its gates to the transalpine nations. They inflicted on her calamities beyond example in history; calamities so much the more keenly felt, as the sufferers were more civilized, the authors more barbarous. The French invasion ended in giving to the greatest enemies of France the dominion of that country, so rich, so industrious, and of which the possession was sought ardently by all. Never would the House of Austria have achieved the conquest of Italy, if Charles VIII., Louis XII., and Francis I., had not previously destroyed the wealth and military organization of the nation; if they had not themselves introduced the Spaniards into the kingdom of Naples, and the Germans into the states of Venice; forgetful that both must soon after be subject to Charles V.”

We must, however, go back from these generalities, to a statement of the facts which we shall take from Sismondi’s Italian Republics.

“The secret treaty between Leo and the Emperor Charles V. was signed on May 8th, 1521.” “The Pope united his army to that of the Emperor in the kingdom of Naples; the command of it was given jointly to Prospero Colonna and the marquis Pescara: war was declared on the 1st of August, and the imperial and pontifical troops entered Milan on the 19th November: but in the midst of the joy of this first success, Leo X. died,” leaving “his successors in a state of distress, which was unjustly attributed to them, and which rendered them odious to the people; for the war into which he had plunged them, without any reasonable motive, was the most disastrous of all those which had yet afflicted unhappy Italy. There remained no power truly Italian that could take any part in it for her defence. Venice was so exhausted by the war of the league of Cambray, that she was forced to limit her efforts to the maintenance of her neutrality, and was hardly powerful enough to make even her neutral position respected. Florence remained subject to Giulio de’ Medici. The republics of Sierra and Lucca were tremblingly prepared to obey the strongest.” “The kingdom of Naples was governed and plundered by the Spaniards. After the French had lost the duchy of Milan, Francesco Sforza, who had been brought back by the imperialists, possessed only the name of sovereign. He had never been for a moment independent; he had never been able to protect his subjects from the tyranny of the Spanish and German soldiers, who were his guards. Finally, the marquis de Montferrat and the duke of Savoy had allowed the French to become masters in their states, and had no power to refuse them passage to ravage oppressed Italy anew.”

The first hostilities resulted in the French General’s evacuating Lombardy, partly through the defection of his Swiss allies. The next year Francis I. made himself master of Milan, and attempted the siege of Pavia, where he was attacked by Pescara, and, after a murderous battle, made prisoner. These transactions occupied more than two years, during which time the imperial army, unpaid and unprovisioned by Charles, lived at free quarters upon unhappy Lombardy. In the course of the year 1525, there was much negotiation with respect to the ransom of Francis, and efforts, nearly successful, were made by Jerome Molone of Milan, to arm all Italy in vindication of her independence; these were frustrated through the duplicity and

treason of Pescara, who died on the 30th of November, 1525 at the age of thirty-six, abhorred by all Italy.

“Charles, abusing the advantages which he had obtained, imposed on Francis the treaty of Madrid, signed on the 14th of January, 1526, by which the latter abandoned Italy and the duchy of Burgundy. He was set at liberty on the 18th of March following, and almost immediately declared to the Italians that he did not regard himself bound by a treaty extorted from him by force. On the 22nd of May, he signed a league for the liberty of Italy with Clement VII., the Venetians, and Francesco Sforza, but still did not abandon the policy of his mother ; instead of thinking in earnest of restoring Italian independence, and thus securing the equilibrium of Europe, he had only one purpose, that of alarming Charles with the Italians ; and was ready to sacrifice them as soon as the emperor should abandon Burgundy. At the same time his supineness, love of pleasure, distrust of his fortune, and repugnance to violate the treaty of Madrid, hindered him from fulfilling any of the engagements which he had contracted towards the Italians ; he sent them neither money, French cavalry, nor Swiss forces. Charles, on the other hand, sent no supplies to pay his armies to Antonio de Leyva, the constable Bourbon, and Hugo de Monçada, their commanders. These troops were therefore obliged to live at free quarters, and the oppression of the whole country was still more dreadful than it had ever been.

“The defection of the duke of Milan, in particular, gave a pretence to Antonio de Leyva to treat the wretched Milanese with redoubled rigour, as if they could be responsible for what Leyva called the treachery of their master. The Spanish army was quartered on the citizens of Milan ; and there was not a soldier who did not make his host a prisoner, keeping him bound at the foot of the bed, or in the cellar, for the purpose of having him daily at hand, to force him, by blows or fresh torture, to satisfy some new caprice ; as soon as one wretched person died of his sufferings, or broke his bond and ended his sufferings by a voluntary death, either precipitating himself through a window or into a well, the Spaniard passed into another house to recommence on its proprietor the same torture. The Venetians and the Pope had united their forces, under the command of the duke of Urbino, who, exaggerating the tactics of Prospero Colonna, was ambitious of no other success in war

than that of avoiding battle. He announced to the Senate of Venice, that he would not approach Milan till the French and Swiss, whose support he had been promised, joined him. This inaction, while witnessing so many horrors, reduced the Italians to despair. Sforza, who had been nine months blockaded in the castle of Milan, and who always hoped to be delivered by the duke of Milan, whose colours were in sight, supported the last extremity of hunger before he surrendered to the Spaniard, on the 24th of July, 1526. The Pope, meanwhile, was far from suspecting himself in any danger, but his personal enemy, Pompeo Colonna, took advantage of the name of the Imperial party to raise in the papal state 8000 armed peasants, with whom, on the 20th of September, he surprised the Vatican, pillaged the palace, as well as the temple of St. Peter, and constrained the Pope to abjure the alliance of France and Venice. About the same time, George de Frundsberg, a German condottiere, entered Lombardy with 13,000 adventurers, whom he had engaged to follow him, and serve the emperor without pay, contenting themselves with the pillage of that unhappy country.

The constable Bourbon, to whom Charles had given the chief command of his forces in Italy, determined to take advantage of this new army, and unite it to that for which at Milan he had now no further occasion; but it was not without great difficulty that he could persuade the Spaniards to quit that city, where they had enjoyed the savage pleasure of inflicting torture on their hosts. At length, however, he succeeded in leading them to Pavia. On the 30th of January, 1527, he joined Frundsberg, who died soon after of apoplexy. Bourbon now remained alone charged with the command of this formidable army, already exceeding 25,000 men, and continually joined on its route by disbanded soldiers and brigands intent on pillage. The constable had neither money, equipments, nor artillery, and very few cavalry; every town shut its gates on his approach, and he was often on the point of wanting provisions. He took the road of Southern Italy, and entered Tuscany, still uncertain whether he should pillage Florence or Rome. The marquis of Saluzzo, with a small army, retreated before him; the duke of Urbino followed in his rear, but always keeping out of reach of battle. At last, Bourbon took the road to Rome, by the valley of the Tiber. On the 5th of May, 1527,

he arrived before the Capital of Christendom. Clement, long alarmed at his march, had, on the 15th of March, signed a truce of eight months with the viceroy of Naples, and dismissed his troops, never imagining that one of the emperor's lieutenants would not respect the engagements of the other. On the approach of Bourbon, however, the walls of Rome were again mounted with the engines of war. The next day, the 6th of May, this renegade prince led his troops to the assault of the city. He was killed near the Janiculum, while mounting the first scaling ladder. His fall did not stop the terrific band of robbers which he led. The victorious army scaled the walls, which were ill defended, and spread terror through the quarters of the Borgo, Vatican, and Trastevere. In a few hours they were masters of the whole city, Clement having neglected to destroy the bridges of the Tiber.

"The capital of Christendom was then abandoned to a pillage unparalleled in that most calamitous period of the first triumph of barbarism over civilization: neither Alaric the Goth, nor Genseric the Vandal, had treated it with like ferocity. Not only was all that could be seized in every house and every shop carried off, but the peasants of the fiefs of Colonna took possession of the heavy furniture which did not tempt the cupidity of the soldier. From the day when these barbarians entered the city, all personal protection was withdrawn; women were abandoned to the outrages of the victors; and sanctuaries, enriched by the veneration of Christendom for twelve centuries, were devoted to spoliation. Men, women, and children were seized, whenever their captors could flatter themselves that they had concealed some treasure, or that there was any one sufficiently interested for them to pay their ransom. Every house resounded with the cries and lamentations of wretched persons thus subjected to the torture; and this dreadful state of crime and agony lasted not merely days, *but was prolonged for more than NINE months*: it was not till the 17th of February, 1528, that the prince of Orange, one of the French lords, who had accompanied Bourbon in his rebellion, finally withdrew from Rome all of this army that vice and disease had spared. The Germans, indeed, after the first few days, had sheathed their swords to plunge into drunkenness and the most cruel debauchery; but the Spaniards, up to the last hour of their stay in Rome, indefatigable in their cold-blooded cruelty, continued to invent fresh torture to extort new ransoms

from all who fell into their hands ; even the plague, the consequence of so much suffering, moral and physical, which broke out amidst all these horrors, did not make the rapacious Spaniard loose his prey.

“A struggle between the Italians, feebly seconded by the French, and the generals of Charles V., was prolonged yet more than two years after the sack of Rome ; but it only added to the desolation of Italy, and destroyed alike in all the Italian provinces, the last remains of prosperity.” “The banditti whom Charles V. called his soldiers, whom he never paid, and who showed no disposition to obedience, were cantoned at Milan, Rome, and the principal cities of Italy : they divided their time between debauchery, and the infliction of torture on their hosts ; their officers were unable to induce them to leave the towns, and advance towards the enemy. The people, in the excess of suffering, met every change with eagerness, and received Lantrec (the French commander) as a deliverer.” He passed the Tronto on the 10th of February, 1528 ; lost valuable time in Apulia, where he took and sacked Melfi on the 23d of March, and did not arrive till the 1st of May before Naples.

“The prince of Orange had just entered the city with the army which had sacked Rome, but of which the greater part had been carried off by a dreadful mortality, the consequence and punishment of its vices and crimes. Instead of vigorously attacking them, Lantrec, in spite of the warm remonstrances of his officers, persisted in reducing Naples by blockade ; thus exposing his army to the influence of a destructive climate.” . . . “The inhabitants of Naples experienced the most cruel privations, and sickness soon made great havoc amongst them : but a malady not less fatal broke out in the French camp.” “In the middle of June, the French reckoned 25,000 men ; by the 2d of August not 4000 were left fit for service.” “Lantrec himself died on the 15th of August, and almost all his officers.” The marquis de Saluces, on whom the command devolved, felt the necessity of a retreat, but knew not how to secure it in presence of such a superior force. He tried to escape from the imperialists, by taking advantage of a tremendous storm in the night of the 29th of August : but was soon pursued and overtaken at Aversa, where, on the 30th, he was forced to capitulate. The magazines and hospitals at Capua were, at the same time, given up to the Spaniards. The prisoners and the sick

were crowded together in the stables of the Magdalen, where contagion acquired new force. The Spaniards foresaw it, and watched with indifference the agony and death of all ; for nearly all of that brilliant army perished—a few invalids only ever returned to France.

“ During this campaign, another French army, conducted by François de Bourbon, Count de St. Pol, had entered Lombardy, at the moment when Henry, duke of Brunswick, led thither a German army. Henry, finding nothing more to pillage, announced that his mission was to punish a rebellious nation, and put to the sword *ALL the inhabitants* of the villages through which he passed. Milan was at once a prey to famine and the plague, aggravated by the cupidity and the cold-blooded ferocity of Leyva, who seized all the provisions brought in from the country ; and to profit by the general misery, resold them at an enormous price.”

“ The winter passed in suffering and inaction. The following year, Leyva surprised the Count de St. Pol, at Landriano, on the 21st of June, 1529, and made him prisoner with all his principal officers. This was the last military incident of this dreadful war.”

“ Peace was ardently desired on both sides ; negotiations were actively carried on ; but every potentate sought to deceive his ally, in order to obtain better conditions from his adversary. Margaret of Austria, the sister of the emperor’s father, and Louisa of Savoy, the mother of the king of France, met at Cambray ; and in a conference, to which no witnessess were admitted, arranged what was called “ *Le traité des dames*.” Clement VII. had, at the same time, a nuncio at Barcelona, who negotiated with the emperor. The latter was impatient to arrange the affairs of Italy, in order to pass into Germany. On the 20th of June, 1529, Charles signed at Barcelona a treaty of perpetual alliance with the Pope : by it he engaged to sacrifice the republic of Florence to the Pope’s vengeance, and to place in the service of Clement, in order to accomplish it, all the brigands who had previously devastated Italy. Florence was to be given in sovereignty to the bastard Alexander de’ Medici, who was to marry an illegitimate daughter of Charles V. On the 5th of August following, Louis and Margaret signed the treaty of Cambray, by which Francis abandoned, without reserve, all his Italian allies to the caprices of

Charles; who, on his side, renounced Burgundy, and restored to Francis his two sons, who had been retained as hostages. Charles arrived at Genoa, on board the fleet of Andrea Doria, on the 12th of August. The Pope awaited him at Bologna, into which he made his entry on the 5th of November. He summoned thither all the princes of Italy, or their deputies, and treated them with more moderation than might have been expected after the shameful abandonment of them by France. As he knew the health of Francesco Sforza, duke of Milan, to be in a declining state, which promised but few years of life, he granted him the restitution of his duchy, for the sum of 900,000 ducats, which Sforza was to pay at different times; they had not all fallen due when that prince died, on the 24th of October, 1535, without issue, and his estates escheated to the emperor. On the 23d of December, 1529, Charles granted peace to the Venetians, who restored him only some places in Apulia, and gave up Ravenna and Cernia to the Pope.

“On the 20th of March, Alphonso d’Este also signed a treaty, by which he referred his differences with the Pope to the arbitration of the emperor. Charles did not pronounce on them till the following year. He conferred on Alphonso the possession of Modena, Reggio, and Rubbiera, as fiefs of the empire; and he made the Pope give him the investiture of Ferrara. On the 15th of March, 1530, a diploma of the emperor raised the marquisate of Mantua to a duchy, in favor of Frederick de Gonzaga. The duke of Savoy and the marquis de Montferrat, till then protected by France, arrived at Bologna, to place themselves under the protection of the emperor. The duke of Urbino was recommended to him by the Venetians, and obtained some promises of favor. The republics of Genoa, Sienna, and Lucca, had permission to vegetate under the imperial protection; and Charles, having received from the Pope at Bologna, on the 22d of February and 24th of March, the two crowns of Lombardy and of the empire, departed in the beginning of April for Germany, in order to escape witnessing the odious service, in which he consented that his troops should be employed against Florence.”

“A period of three centuries of weakness, humiliation, and suffering, in Italy, began in the year 1530: from that time she has been always oppressed by foreigners, and enervated and corrupted by her masters. These last have reproached her

with the vices of which they were themselves the authors. After having reduced her to the impossibility of resisting, they have accused her of cowardice when she submitted, and of rebellion when she made efforts to vindicate herself. The Italians, during this long period of slavery, have been agitated with the desire of becoming once more a nation ; as, however, they had lost the direction of their own affairs, they ceased to have any history which could be called theirs ; their misfortunes have become but episodes in the histories of other nations."

Sismondi closes his history of the Italian Republics, with an account of the successive fall of all the republics, which still remained independent after the coronation of Charles V. Florence had been on the point of recovering its liberty from the tyranny of the Medici, when the constable Bourbon approached the walls in his march to Rome, on the 26th of April, 1527 ; but the terror inspired by that army of brigands, repressed the movement. When they heard, however, of the taking of Rome, the Florentines rose with firmness, expelled the Medici, and restored the republic. Michael Angelo completed the fortifications of Florence, in 1529. On the other hand, "Clement VII. sent against his native city that very prince of Orange, the successor of Bourbon, who had made him prisoner at Rome ; and with him that very army of robbers which had overwhelmed the Holy See, and its subjects, with misery and every outrage. This army entered Tuscany, September, 1529." Florence capitulated, after immense but vain efforts at defence, on the 12th of August, 1530.

Into Sienna, Charles V. introduced a Spanish garrison, but the Siennese, unable to bear the pride, cupidity, and ferocity of the Spanish, drove them out the 11th of August, 1552. In 1555, after incredible sufferings, it capitulated, the 2nd of April, 1555. The Spaniards retained possession, nevertheless, for two years, and death and exile were the lot of the generous citizens to whom amnesty had been promised.

In 1556 Burtamachi of Lucca made an attempt to restore liberty to the Tuscan cities, which were all to be organized with popular constitutions and confederate. The plot was discovered, Burtamachi executed, and the city given up to a small oligarchy for the next two hundred and fifty years. "Genoa, which had received the name of republic through Charles V.'s connivance (who had needed its services in the war of 1528), was governed

by a narrow aristocracy, founded by Andrea Doria, who at the same time "attached his country to the house of Austria, with a submission which the greater number of Genoese felt as a deep humiliation." In 1547 the conspiracy of the French nearly destroyed this government; Vachero's conspiracy, in 1628, was also abortive. "But the spirit of the ancient Italian republics was not extinguished among the people of Genoa, as among the nobles." In the war of the Austrian succession, in 1746, they made alliance with the Bourbons. "The Austrians appeared before Genoa; and the senate, which dared not arm the population, opened their gates to them. The Austrians abused, as they have ever done, the favours of fortune. They exacted from Genoa a contribution of 9,000,000 of florins to the empire, a sum which that city was not in a condition to pay. They seized all the money in the bank, all the plate of the churches, and even the property of individuals." To these injuries they added insults which at length roused the people, who, having no other arms, attacked their oppressors with stones from the streets, and tiles torn from the houses, till, notwithstanding a firing by the soldiers that filled many houses with the dead, the streets were covered with dead Austrians, and the rest fled in terror. These mostly perished on the barren mountains around the city; for the Genoese retained their advantage till the treaty of Aix-la-Chapelle secured their republic against Austria, under the protection of the French.

Venice employed all the sixteenth century in endeavouring to repair the disasters of the league of Cambray. Its policy was, especially during the seventeenth century, to throw off the yoke of Austria, but it knew its own weakness too well to make an open movement. During the Thirty Years' War, however, it gave succour to the Protestants of Germany, to Bethlehem Gabor, and to Ragotski in Hungary. "But the attacks of the Turks made it necessary for the Venetians to make friendly advances to Austria; and as its own government grew more aristocratic, and odious with despotism, it became more and more timid. It attempted to be neutral in the war of the Spanish succession. In the French war of 1796 it actually took the side of Austria; but when Bonaparte declared war against it, in 1797, Austria, with characteristic ingratitude, refused all assistance; and at the peace of Santo Formio took possession of Venice, and part of its states. But after the

French made themselves masters of Vienna, she was obliged by the treaty of Presburg to restore Venice to the kingdom of Italy.

Thus, after Italy lost its liberty, in the first half of the fifteenth century, four of the five nominal republics became narrow aristocracies.

In the beginning of the nineteenth century Napoleon Bonaparte effected a momentary resurrection of this beautiful country. "Five millions and a half of inhabitants in the kingdom of Italy were put in possession of a constitution, securing the participation of numbers in the government, which is the essence of a republic." Six millions and a half in the kingdom of Naples received institutions less advanced, it is true; but even there the law had succeeded arbitrary power; public and oral evidence had succeeded secret information and the torture; equality, the feudal system of education, instead of retrograding, had been rendered progressive; and thought, as well as religious conscience, had recovered freedom." Finally, five millions and a half, (Piedmontese, Genoese, Parmesans, Tuscans, and Romans,) were temporarily united to France, "secure that at no very distant period, when their political education should be accomplished, they would again be incorporated in that Italy to the future liberty and glory of which they now directed every thought."

"It has been the work of the *coalition* to destroy all; to place Italy again under the galling yoke of Austria; to take from her, with political liberty, civil and religious freedom, and even freedom of thought; to corrupt her morals, and to heap upon her the utmost degree of humiliation. Italy is unanimous in abhorring this ignominious yoke; Italy, to break it, has done all that could be expected of her. In a struggle between an established government and a nation, the former has all the advantage; it has in its favour rapidity of communication, certainty of information, soldiers, arsenals, fortresses, and finances. The people have only their unarmed hands, and their masses *unaccustomed to act together*: nevertheless, in every struggle with its oppressors, during these fifteen years, in Italy, (Sismondi wrote in 1832,) the victory has remained with the people. At Naples, in Sicily, in Piedmont, in the states of the Church, at Modena and Parma, unarmed masses have seized the arms of the soldiers; men chosen by the people have taken the places of the despots in their palaces. The Italians, everywhere vic-

torious over their own tyrants, have, it is true, been everywhere forced back under the yoke, with redoubled cruelty, by the league of foreign despots. Attacked before they could have given themselves a government, or formed a treasury, arsenals, or an army, by the sovereign of another nation, who reckons not less than 30,000,000 of subjects, they did not attempt a hopeless resistance, which would have deprived them of every chance for the future."

"Europe will know no repose till the nation which, in the dark ages, lighted the torch of civilization with that of liberty, shall be enabled herself to enjoy the light which she created."

But we must now turn our regards upon SPAIN, which the Austrian family, in the person of the ruthless conqueror of Italy, had taken into its *Christian (?)* guardianship, by right of his mother, Joanna of Castile.

It is not perhaps sufficiently well known, that Spain, as well as the other countries of Europe, received from its Gothic and Vandalic ancestors the germs of constitutional government, which, from peculiar circumstances attending the Saracen conquest, were preserved in singular purity in the several kingdoms of Spain, that were afterwards united under Ferdinand and Isabella. Robertson, in a view of the state of Europe, which he prefixes to his biography of Charles V., says:—

"Notwithstanding the singular revolution which the invasion of the Moors occasioned in Spain, and the peculiarity of its fate, in being so long subject to the Mahomedan yoke, the customs introduced by the Vandals and Goths had taken such deep root, and were so thoroughly incorporated with the frame of its government, that in every province which the Christians recovered from the Moors, we find the condition of individuals, as well as the political constitution, nearly the same as in other nations of Europe."

"The royal prerogative was circumscribed within such narrow bounds as reduced the power of the sovereign almost to nothing. The privileges of the nobility were great in proportion, and extended so far as to border on absolute independance. The immunities of the cities were likewise greater than in other feudal kingdoms; they possessed considerable influence in the arts, and they aspired at obtaining more."

In Spain also, as in other countries where the germs of constitutional liberty existed, as the best legacy of their northern

ancestry, there was a struggle for development, which the conservative historians uniformly stigmatize as "turbulence" and "want of respect to law," though in fact it is an aspiration for a government of laws rather than of persons.

"In 1492," says Robertson, "in the principality of Catalonia, which was annexed to the kingdom of Aragon, the impatience of the people to obtain the redress of their grievances having prompted them to take arms against their sovereign John II., they, by a solemn deed, recalled the oath of allegiance which they had sworn to him, declared him and his posterity to be unworthy of the throne, and endeavoured to establish a republican form of government, in order to secure the perpetual enjoyment of that liberty after which they aspired. Nearly about the same period, the indignation of the Castilian nobility against the weak and flagitious administration of Henry IV. having led them to combine against him, they arrogated, as one of the privileges belonging to their order, the right of trying and of passing sentence on their sovereign. That the exercise of this power might be as public and solemn, as the pretension to it was bold, they summoned all the nobility of their party to meet at Avila; a spacious theatre was erected in a plain, without the walls of the town; an image, representing the king, was seated on a throne, clad in royal robes, with a crown on its head, a sceptre in its hand, and the sword of justice by its side.

"The accusation against the king was read, and the sentence of deposition was pronounced, in presence of a numerous assembly. At the close of the first article of the charge, the archbishop of Toledo advanced, and tore the crown from the head of the image; at the close of the second, the Conde de Placentia snatched the sword of justice from its side; at the close of the third, the Conde de Beneventi wrested the sceptre from its hand; at the close of the last, Don Diego Lopez de Stuniga tumbled it headlong from the throne. At the same instant, Don Alphonso, Henry's brother, was proclaimed king of Castile and Leon, in his stead.

"The most daring leaders of faction would not have ventured on these measures, nor have conducted them with such public ceremony, if the sentiments of the people concerning the royal dignity had not been so formed by the laws and policy, to which they were accustomed both in Castile and Catalonia,

as prepared them to approve of such extraordinary proceedings, or to acquiesce in them.

" In Aragon, the form of government was monarchical, but the genius and maxims of it were purely republican. The kings, who were long elective, retained only the shadow of power ; the real exercise of it was in the Cortes or parliament of the kingdom. This supreme assembly was composed of four different arms or members. The nobility of the first rank ; the equestrian order, or nobility of the second class ; the representatives of the cities and towns, whose right to a place in the Cortes, if we may give credit to the historians of Aragon, was co-eval with the constitution ; the ecclesiastical order, composed of the dignitaries of the church, together with the representatives of the inferior clergy. No law could pass in this assembly without the assent of every single member who had a right to vote. Without the permission of the Cortes, no tax could be imposed ; no war could be declared ; no peace could be concluded ; no money could be coined ; nor could any alteration be made in the current specie. The power of reviewing the proceedings of all inferior courts, the privilege of inspecting every department of administration, and the right of redressing all grievances, belonged to the Cortes. Nor did those who conceived themselves to be aggrieved, address the Cortes in the humble tone of suppliants, and petition for redress ; they demanded it as the birthright of freemen, and required the guardians of their liberty to decide with respect to the points which they laid before them. This sovereign court was held during several centuries, every year ; but in consequence of a regulation introduced about the beginning of the fourteenth century, it was convoked from that period only once in two years. After it was assembled, the king had no right to prorogue or dissolve it without its own consent ; and the session continued forty days.

" Not satisfied with having erected such formidable barriers against the encroachments of the royal prerogative, nor willing to commit the sole guardianship of their liberties entirely to the vigilance and authority of an assembly, similar to the diets, states-general, and parliaments, in which the other feudal nations have placed so much confidence, the Aragonese had recourse to an institution peculiar to themselves, and elected a *Justiza* or supreme judge.

“ This magistrate, whose office bore some resemblance to that of the Ephori in ancient Sparta, acted as the protector of the people and the comptroller of the prince.

“ The person of the Justiza was sacred, his power and jurisdiction almost unbounded. He was the supreme interpreter of the laws. Not only inferior judges, but the kings themselves, were bound to consult him in every doubtful case, and to receive his responses with implicit deference. An appeal lay to him from the royal judges, as well as from those appointed by the barons within their respective territories. Even when no appeal was made to him, he could interpose by his own authority, prohibit the ordinary judge to proceed, take immediate cognizance of the cause himself, and remove the party accused to the Manifestation or prison of the state, to which no person had access but by his permission. His power was exerted with no less vigour and effect in superintending the administration of government, than in regulating the course of justice.

“ It was the prerogative of the Justiza to inspect the conduct of the King. He had a title to review all the royal proclamations and patents, and to declare whether or not they were agreeable to law, and ought to be carried into execution. He, by his sole authority, could exclude any of the king’s ministers from the conduct of affairs, and call them to answer for their mal-administration.

“ He himself was accountable to the Cortes only, for the manner in which he discharged the duties of this high office; and performed functions of the greatest importance that could be committed to a subject.”

It is evident from the bare enumeration of the privileges of the Aragonese Cortes, as well as of the rights belonging to the Justiza, that a very small portion of power remained in the hands of the King.

The Aragonese seem to have been solicitous that their monarchs should know and feel this state of impotence to which they were reduced.

Even in swearing allegiance to their sovereign, an act which ought naturally to be accompanied with professions of submission and respect, they devised an oath, in such a form, as to remind him of his dependence on his subjects. “ We,” said the Justiza to the king in the name of his high-spirited barons, “ who are each of us as good, and who are altogether more

powerful than you, promise obedience to your government, if you maintain our rights and liberties; but if not, not." Conformably to this oath they established it as a fundamental article in their constitution, that if the king should violate their rights and privileges it was lawful for the people to disclaim him as their sovereign, and to elect another, even though a heathen, in his place. The attachment of the Aragonese to this singular constitution of government was extreme, and their respect for it approached to superstitious veneration. In the preamble to one of their laws, they declare, that such was the barrenness of their country, and the poverty of the inhabitants, that, if it were not on account of the liberties by which they were distinguished from other nations, the people would abandon it, and go in quest of a settlement to some more fruitful region.

"In Castile, there were not such peculiarities in the form of government, as to establish any remarkable distinction between it and that of the other European nations. The executive part of government was committed to the king, but, with a prerogative extremely limited. The legislative authority resided in the Cortes, which was composed of the nobility, the dignified ecclesiastics, and the representatives of the cities. The assembly of the Cortes in Castile was very ancient, and seems to have been almost coëval with the constitution. The members of the three different orders, who had a right of suffrage, met in one place, and deliberated as one collective body; the decisions of which were regulated by the sentiments of the majority. The right of imposing taxes, of enacting laws, and of redressing grievances, belonged to this assembly; and in order to secure the assent of the king to such statutes and regulations as were deemed salutary or beneficial to the kingdom, it was usual in the Cortes to take no step towards granting money, until all business relative to the public welfare was concluded. The representatives of cities seem to have obtained a seat very early in the Cortes of Castile, and soon acquired such influence and credit as were very uncommon, at a period when the splendor and pre-eminence of the nobility had eclipsed or depressed all other orders of men. The number of members from cities bore such a proportion to that of the whole collective body, as rendered them extremely respectable in the Cortes. The degree of consideration which they possessed in the state may be estimated by

one event. Upon the death of John I., a council of regency was appointed to govern the kingdom during the minority of his son.

“ It was composed of an equal number of noble men and of deputies chosen by the cities ; the latter were admitted to the same rank, and invested with the same powers, as prelates and grandees of the first order. But though the members of communities in Castile were elevated above the condition wherein they were placed in other kingdoms of Europe ; though they had attained to such political importance that even the proud and jealous spirit of the feudal aristocracy could not exclude them from a considerable share in the government ; yet the nobles, notwithstanding these acquisitions of the commons, continued to assert the privileges of their order, in opposition to the crown, in a tone extremely high. There was not any body of nobility in Europe more distinguished for independence of spirit, haughtiness of deportment, and bold pretensions, than that of Castile. The history of that monarchy affords the most striking examples of the vigilance with which they observed, and of the vigour with which they opposed, every measure of their kings that tended to encroach on their jurisdiction, to diminish their dignity, or to abridge their power. Even in their ordinary intercourse with their monarchs, they preserved such a consciousness of their rank, that the nobles of the first order claimed it as a privilege to be covered in the royal presence, and approached their sovereign rather as equals than as subjects.

“ The constitutions of the subordinate monarchies, which depended upon the crowns of Castile and Aragon, nearly resembled those of the kingdoms to which they were annexed.

“ In all of them, the dignity and independence of the nobles were great ; the immunities and power of the cities were considerable.

“ An attentive observation of the singular situation of Spain, as well as the various events which occurred there, from the invasion of the Moors to the union of the kingdom, under Ferdinand and Isabella, will discover the causes to which all the peculiarities in its political constitution I have pointed out, ought to be ascribed.

“ As the provinces of Spain were wrested from the Mahomedans gradually and with difficulty, the nobles who followed the standard of any eminent leader in these wars, conquered not for

him alone but for themselves. They claimed a share in the lands which their valour had won from the enemy, and their prosperity and power increased, in proportion as the territory of the prince extended.

“During their perpetual wars with the Moors, the monarchs of the several kingdoms in Spain depended so much on their nobles, that it became necessary to conciliate their good will by successive grants of new honours and privileges. By the time that any prince could establish his dominions in a conquered province, the greater part of the territory was parcelled out by him among his barons, with such jurisdiction and immunities as raised them almost to sovereign power.

“At the same time, the kingdoms erected in so many different corners of Spain, were of inconsiderable extent. The petty monarch was but little elevated above his nobles. They, feeling themselves to be almost his equals, acted as such; and could not look up to the kings of such limited domains with the same reverence that the sovereigns of the great monarchies in Europe were viewed by their subjects. While these circumstances concurred in exalting the nobility, and in depressing the royal authority, there were other causes which raised the cities in Spain to consideration and power.

“As the open country, during the wars with the Moors, was perpetually exposed to the excursions of the enemy, with whom no peace or truce was so permanent as to prove any lasting security, self-preservation obliged persons of all ranks to fix their residence in places of strength. The castles of the barons, which in other countries afforded a commodious retreat from the depredations of banditti, or from the transient violence of any interior commotion, were unable to resist an enemy whose operations were conducted with regular and persevering vigour. Cities, in which great numbers united for their mutual defence, were the only places in which people could reside with any prospect of safety. To this was owing the rapid growth of those cities in Spain of which the Christians recovered possession. All who fled from the Moorish yoke resorted to them, as to an asylum; and in them the greater part of those who took the field against the Mahomedans established their families.

“Several of these cities, during a longer or shorter course of years, were the capitals of little states, and enjoyed all the ad-

vantages which accelerate the increase of the inhabitants in every place that is the seat of government.

“From these concurring causes, the number of cities in Spain at the beginning of the fifteenth century had become considerable, and they were peopled far beyond the proportion which was common in other parts of Europe, except in Italy and the Low Countries. The Moors had introduced manufactures into those cities while under their dominion. The Christians who, by intermixture with them, had learned their arts, continued to cultivate them.

“Trade, in several of the Spanish towns, appears to have been carried on with vigour; and the spirit of commerce continued to preserve the number of their inhabitants, as the sense of danger had first induced them to crowd together. As the Spanish cities were populous, many of the inhabitants were of a rank superior to those who resided in towns in other countries in Europe.

“That cause, which contributed chiefly to their population, affected equally persons of every condition, who flocked thither promiscuously, in order to find shelter there, or in hopes of making a stand against the enemy, with greater advantage than in any other station. The persons elected as their representatives in the Cortes by the cities, or promoted to offices of trust and dignity in the government of the community, were often of such considerable rank in the kingdom, as reflected lustre on their constituents, and on the stations wherein they were placed.

“As it was impossible to carry on a continual war against the Moors without some other military force than that which the barons were obliged to bring into the field, in consequence of the feudal tenures, it became necessary to have some troops, particularly a body of light cavalry, in constant pay. It was one of the privileges of the nobles, that their lands were exempt from the burden of taxes. The charge of supporting the troops requisite for the public safety fell wholly on the cities; and their kings being frequently obliged to call upon them for aid, found it necessary to gain their favour by concessions, which not only extended their immunities, but added to their wealth and power.

“When the influence of all these circumstances, peculiar to Spain, is added to the general and common causes which contributed to aggrandize cities in other countries of Europe, this

will fully account for the extensive privileges which they acquired, as well as for the extraordinary consideration to which they attained, in all the Spanish kingdoms.

“By these exorbitant privileges of the nobility, and this unusual power of the cities in Spain, the royal prerogative was hemmed in on every side, and reduced within very narrow bounds. Sensible of this, and impatient of such restraint, several monarchs endeavoured, at various junctures, and by different means, to enlarge their own jurisdiction. Their power, however, or their abilities, were so unequal to the undertaking, that their efforts were attended with little success.”

But when Ferdinand and Isabella found themselves at the head of the united kingdoms of Spain, and delivered from the danger and interruption of domestic wars, they were not only in a condition to resume, but were able to prosecute with advantage, the schemes of extending the prerogative, which their ancestors had attempted in vain. Ferdinand’s profound sagacity in concerting his measures, his persevering industry in conducting them, and his uncommon address in carrying them into execution, fitted him admirably for an undertaking which required all these talents. He undertook to extend the royal prerogative, by abridging the privileges and power of the nobility, and circumscribing their jurisdiction. He also annexed the grandmasterships of the three religious orders to the crown.

“By address, by promises, and by threats, he prevailed on the knights of each order to place Isabella and himself at their head. Innocent VIII. and Alexander VI. gave this election the sanction of papal authority, and subsequent pontiffs rendered the annexation of these masterships to the crown perpetual.” But Ferdinand also did something of a very opposite nature, in order to abridge, and at length be able to annihilate the territorial jurisdiction of the nobility. He countenanced and supported the association of the cities of Aragon and Castile, called the Holy Brotherhood, and which dated as far back as 1260.

“This brotherhood exacted a certain contribution from each of the associated towns; they levied a considerable body of troops, in order to protect travellers and to pursue criminals; they appointed judges, who opened their courts in various parts of the kingdom.

“Whoever was guilty of murder, robbery, or of any act that violated the public peace, and was seized by the troops of the

Brotherhood, was carried before judges of their nomination, who, without paying any regard to the exclusive and sovereign jurisdiction which the lord of the place might claim, tried and condemned the criminal. By the establishment of this fraternity, the prompt and impartial administration of justice was restored, and, together with it, internal tranquillity and order began to return. The nobles alone murmured at this salutary institution. They complained of it as an encroachment on one of their most valuable privileges. They remonstrated against it in a high tone; and, on some occasions, refused to grant any aid to the crown, unless it were abolished.

“ Ferdinand, however, not only saw the good effects of the Holy Brotherhood, with respect to the police of his kingdoms, but perceived its tendency to abridge, and at length to annihilate, the territorial jurisdiction of the nobility. He countenanced it on every occasion. He supported it with the whole force of royal authority; and, besides the expedients employed by him in common with the other monarchs of Europe, he availed himself of this institution, which was peculiar to his kingdom, in order to limit and abolish that independent jurisdiction of the nobility, which was no less inconsistent with the authority of the prince than with the order of society.

“ But though Ferdinand by these measures considerably enlarged the boundaries of the prerogative, and acquired a degree of influence and power far beyond what any of his predecessors had enjoyed, yet the limitations of the royal authority, as well as the barriers against its encroachments, continued to be many and strong. The spirit of liberty was vigorous among the people of Spain; the spirit of independence was high among the nobility; and though the love of glory, peculiar to the Spaniards in every period of their history, prompted them to support Ferdinand with zeal in his foreign operations, and to afford him such aid as enabled him not only to undertake, but to execute great enterprises, he reigned over his subjects with a jurisdiction less extensive than that of any of the great monarchs of Europe.

“ During a considerable part of the reign of his successor, Charles V., the prerogative of the Spanish Crown was equally circumscribed.”

The Cortes of Castile were indeed prevailed on to proclaim him king, on condition that his mother should resume her au-

thority, if she ever recovered her reason, and at the same time they voted him a free gift of 600,000 ducats, to be paid in three years; a sum more considerable than had ever been granted to any former monarch.

But the Castilians speedily became discontented with Charles, on account of the favour he bestowed exclusively upon the Flemings, who engrossed all honours, offices, and benefices, and who remitted into the Low Countries, in the course of ten months, no less a sum than a million one hundred thousand ducats.

The opposition Charles had to struggle with in the Cortes of Aragon was more violent and obstinate than that which he had overcome in Castile; after long delays, however, and with much difficulty, he persuaded the members to confer on him the title of king in conjunction with his mother. At the same time he bound himself by that solemn oath, which the Aragonese exacted of their kings, never to violate any of their rights or liberties. When a donation was demanded they were still more intractable. Many months elapsed before they would agree to grant Charles 200,000 ducats.

From Aragon Charles proceeded to Catalonia, where he wasted as much time, encountered more difficulties, and gained less money.

Meanwhile the oppressive schemes of the Flemings provoked a confederacy of Segovia, Toledo, Seville, and several other cities of the first rank, for the defence of their rights and privileges; "and notwithstanding the silence of the nobility who, on this occasion," says Robertson, "testified neither the public spirit nor the resolution which became their order, the confederates laid before the king a full view of the kingdom and of the mal-administration of his favourites. The confederacy of these cities, at this juncture, was the beginning of that famous union among the commons of Castile, which not long after threw the kingdom into such violent convulsions as shook the throne, and almost overturned the constitution.

"Charles's election to the imperial crown increased the dissatisfaction. To be deprived of the presence of their sovereign, and to be subjected to the government of a viceroy and his council, were the immediate consequences of this new dignity. To see the blood of their countrymen shed in quarrels wherein the nation had no concern, to behold its treasures wasted in supporting

the splendor of a foreign title ; to be plunged into the chaos of Italian and German politics, were effects of this event almost as unavoidable."

An insurrection in Valencia, directed against the oppression of the grandees, which was great in that kingdom, gave rise to an association that laid their grievances before Charles, who, irritated at the moment against the nobles who had opposed his going to Germany, authorized them to continue in arms. Upon which they expelled all the nobles from the city, and committed the government to magistrates of their own election, and distinguished their conviction by the name of Germanada.

The cities of Castile also associated to crave redress of wrongs from Charles, but he artfully avoided admitting their deputation, and summoned the Cortes of Castile to meet at Compostella, in Galicia. He called this assembly only to obtain another donative, in order to appear in Germany with splendour suited to the Imperial dignity. To appoint a meeting of the Cortes in so remote a province, and to demand a new subsidy before the time for paying the former was expired, were innovations of a most dangerous tendency ; and among a people not only jealous of their liberties, but accustomed to supply the wants of their sovereigns with a very frugal hand, excited an universal alarm. The magistrates of Toledo remonstrated against both these measures in a very high tone ; the inhabitants of Valladolid, who expected that the Cortes would have been held in that city, were so enraged, that they took arms in a tumultuary manner ; and if Charles, with his foreign counsellors, had not fortunately made their escape during a violent tempest, they would have massacred all the Flemings, and have prevented him from continuing his journey towards Compostella.

"Every city through which he passed petitioned against holding a Cortes in Galicia, a point with regard to which Charles was inflexible. But though the utmost influence had been exerted by the ministers, in order to procure a choice of representatives favourable to their designs, such was the danger, that, at the opening of the assembly, there appeared among many of the members unusual symptoms of ill-humour which threatened a fierce opposition to all the measures of the court. No representatives were sent by Toledo ; for the lot, according to which, by ancient custom, the election was determined in

that city, having fallen upon two persons devoted to the Flemish ministers, their fellow-citizens refused to grant them a commission in the usual form, and in their stead made choice of two deputies, whom they empowered to repair to Compostella, and to protest against the lawfulness of the Cortes assembled there. The representatives of Salamanca refused to take the usual oath of fidelity, unless Charles consented to change the place of meeting. Those of Toro, Madrid, Cordova, and several other places, declared the demand of another donative to be unprecedented, unconstitutional, and unnecessary. All the arts, however, which influence popular assemblies, bribes, promises, threats, and even force, were employed, in order to gain members. The nobles, soothed by the respectful assiduity with which Chievres and the other Flemings paid court to them, or instigated by a mean jealousy of that spirit of independence which they saw rising among the commons, openly favoured the pretensions of the court, or at the utmost did not oppose them; and at last, in contempt not only of the sentiments of the nation, but of the ancient forms of the constitution, a majority voted to grant the donative for which the emperor had applied. Together with this grant, the Cortes laid before Charles a representation of those grievances whereof his people complained, and in their name craved redress; but he, having obtained from them all that he could expect, paid no attention to this ill-timed petition, which it was no longer dangerous to disregard."

No sooner was it known that the Cortes in Galicia had granted Charles a free gift without obtaining the redress of any one grievance, than it produced a civil war. There was an insurrection at Toledo, Segovia, Burgos, and other cities, which Adrian, whom Charles had left regent in Spain, failed to put down, and after having been defeated at Segovia, disbanded his troops. Robertson says :

"Nor were the proceedings of the commons the effects merely of popular and tumultuary rage; they aimed at obtaining redress of their political grievances, and an establishment of public liberty on a secure basis, objects worthy of all the zeal which they discovered in contending for them. The feudal government in Spain was at that time in a state more favourable to liberty than in any other of the great European kingdoms. This was owing chiefly to the number of great cities in that country, a circumstance I have already taken notice of,

and which contributes more than any other to mitigate the rigour of the feudal institutions, and to introduce a more liberal and equal form of government. The inhabitants of every city formed a great corporation, with valuable immunities and privileges; they were delivered from a state of subjection and vasalage; they were admitted to a considerable share in the legislature; they had acquired the arts of industry, without which cities cannot subsist; they had accumulated wealth, by engaging in commerce; and being free and independent themselves, were ever ready to act as the guardians of the public freedom and independence. The genius of the internal government established among the inhabitants of cities, which, even in countries where despotic power prevails most, is democratical and republican, rendered the idea of liberty familiar and dear to them. Their representatives in the Cortes were accustomed, with equal spirit, to check the encroachments of the king and the oppression of the nobles. They endeavoured to extend the privileges of their own order; they laboured to shake off the remaining incumbrances with which the spirit of feudal policy, favourable only to the nobles, had burdened them; and conscious of being the most considerable orders in the state, were ambitious of becoming the most powerful."

Hence a general convention was held for a new association, that assumed the name of the Holy Junta; which, through the resolution of their leader Padilla, obtained possession of the person of Joanna, and carried on the government in her name; "as the Castilians," says Robertson, "who idolized the memory of Isabella, retained a wonderful attachment to her daughter, no sooner was it known that she had consented to assume the reins of government, than the people expressed the most universal and immoderate joy; and believing her recovery to be complete, ascribed it to a miraculous interposition of Heaven, in order to rescue their country from the oppression of foreigners. The Junta, conscious of the reputation and power which they had acquired by seeming to act under the royal authority, were no longer satisfied with requiring Adrian to resign the office of regent; they detached Padilla to Valladolid with a considerable body of troops, ordering him to seize such members of the council as were still in that city, to conduct them to Tordesillas, and to bring away the seals of the kingdom, the public archives and treasury books. Padilla, who was received by the

citizens as the deliverer of his country, executed his commission with great exactness; permitting Adrian, however, still to reside in Valladolid, though only as a private person, and without any shadow of power.

“The emperor, to whom frequent accounts of these transactions were transmitted while he was still in Flanders, was sensible of his own imprudence and that of his ministers, in having despised too long the murmurs and remonstrances of the Castilians. He beheld, with deep concern, a kingdom, the most valuable of any he possessed, and in which lay the strength and sinews of his power, just ready to disown his authority, and on the point of being plunged in to all the miseries of civil war. But though his presence might have averted this calamity, he could not, at that time, visit Spain without endangering the Imperial crown, and allowing the French king full leisure to execute his ambitious schemes. The only point now to be deliberated upon, was, whether he should attempt to gain the malcontents by indulgence and concessions, or prepare directly to suppress them by force; and he resolved to make trial of the former, while, at the same time, if that should fail of success, he prepared for the latter. For this purpose, he issued circular letters to all the cities of Castile, exhorting them in most gentle terms, and with assurance of full pardon, to lay down their arms; he promised such cities as had continued faithful, not to exact from them the subsidy granted in the late Cortes, and offered the same favour to such as returned to their duty; he engaged that no office should be conferred for the future upon any but native Castilians. On the other hand, he wrote to the nobles, exciting them to appear with vigour in defence of their own rights, and those of the crown, against the exorbitant claims of the commons; he appointed the high admiral Don Fadrique Enriquez, and the high constable of Castile, Don Inigo de Velasco, two noblemen of great abilities as well as influence, regents of the kingdom in conjunction with Adrian; and he gave them full power and instructions, if the obstinacy of the malcontents should render it necessary, to vindicate the royal authority by force of arms.

“These concessions, which, at the time of his leaving Spain, would have fully satisfied the people, came now too late to produce any effect. The Junta, relying on the unanimity with which the nation submitted to their authority, elated with the success

which hitherto had accompanied all their undertakings, and seeing no military force collected to defeat or obstruct their designs, aimed at a more thorough reformation of political abuses. They had been employed for some time in preparing a remonstrance, containing a large enumeration, not only of the grievances of which they craved redress, but of such new regulations as they thought necessary for the security of their liberties. This remonstrance, which is divided into many articles relating to all the different members of which the constitution was composed, as well as the various departments in the administration of government, furnishes us with more authentic evidence concerning the intentions of the Junta, than can be drawn from the testimony of the later Spanish historians, who lived in times when it became fashionable and even necessary to represent the conduct of the malcontents in the worst light, and as flowing from the worst motives. After a long preamble concerning the various calamities under which the nation groaned, and the errors and corruption in government to which these were to be imputed, they take notice of the exemplary patience wherewith the people had endured them, until self-preservation, and the duty which they owed to their country, had obliged them to assemble, in order to provide in a legal manner for their own safety, and that of the constitution: For this purpose they demanded that the king would be pleased to return to his Spanish dominions and reside there, as all their former monarchs had done; that he would not marry but with consent of the Cortes; that if he should be obliged at any time to leave the kingdom, it shall not be lawful to appoint any foreigner to be regent; that the present nomination of Cardinal Adrian to that office shall instantly be declared void; that he would not, at his return, bring along with him any Flemings or other strangers; that no foreign troops shall, on any pretence whatever, be introduced into the kingdom; that none but natives shall be capable of holding any office or benefice either in church or state; that no foreigner shall be naturalized; that free quarters shall not be granted to soldiers, nor to the members of the king's household, for any longer time than six days, and that only when the court is in progress; that all the taxes shall be reduced to the same state they were in at the death of queen Isabella; that all alienations of the royal demesnes or revenues since that queen's death shall be resumed; that all

new offices created since that period shall be abolished; that the subsidy granted by the late Cortes in Galicia shall not be exacted; that in all future Cortes each city shall send one representative of the clergy, one of the gentry, and one of the commons, each to be elected by his own order; that the crown shall not influence or direct any city with regard to the choice of its representatives; that no member of the Cortes shall receive an office or pension from the king, either for himself or for any of his family, under pain of death, and confiscation of his goods; that each city or community shall pay a competent salary to its representative for his maintenance during his attendance on the Cortes; *that the Cortes shall assemble once in three years at least, whether summoned by the king or not*, and shall then enquire into the observation of the articles now agreed upon, and deliberate concerning public affairs; that the rewards which have been given or promised to any of the members of Cortes held in Galicia, shall be revoked; that it shall be declared a capital crime to send gold, silver, or jewels out of the kingdom; that judges shall have fixed salaries assigned them, and shall not receive any share of the fines and forfeitures of persons condemned by them; that no grant of the goods of persons accused shall be valid, if given before sentence was pronounced against them; that all privileges which the nobles have at any time obtained, to the prejudice of the commons, shall be revoked; that the government of cities or towns shall not be put into the hands of noblemen; that the possessions of the nobility shall be subject to all public taxes in the same manner as those of the commons; that such prelates as do not reside in their dioceses six months in the year, shall forfeit their revenues during the time they are absent; that the ecclesiastical judges and their officers shall not exact greater fees than those which are paid in the secular courts; that the king shall ratify and hold, as good service done to him and to the kingdom, all the proceedings of the Junta, and pardon any irregularities which the cities may have committed from an excess of zeal in a good cause; that he shall promise and swear in the most solemn manner to observe all these articles, and on no occasion attempt either to elude, or to repeal them; and that he shall never solicit the pope or any other prelate to grant him a dispensation or absolution from this oath and promise.

“Such were the chief articles presented by the Junta to their sovereign. As the feudal institutions in the several kingdoms of Europe were originally the same, the genius of those governments which arose from them bore a strong resemblance to each other, and the regulations which the Castilians attempted to establish on this occasion, differ little from those which other nations have laboured to procure in their struggles with their monarchs for liberty. The grievances complained of, and the remedies proposed by the English commons in their contests with the princes of the house of Stuart, particularly resemble those upon which the Junta now insisted. But the principles of liberty seem to have been better understood, at this period, by the Castilians, than by any other people in Europe; they had acquired more liberal ideas with respect to their own rights and privileges; they had formed more bold and generous sentiments concerning government; and discovered an extent of political knowledge to which the English themselves did not attain until more than a century afterwards.

“But the spirit of reformation among the Castilians, hitherto unrestrained by authority, and emboldened by success, prompted the Junta to propose innovations which, by alarming the other members of the constitution, proved fatal to their cause. The nobles, who, instead of obstructing, had favoured or connived at their proceedings, while they confined their demands of redress to such grievances as had been occasioned by the king’s want of experience, and by the imprudence and rapaciousness of his foreign ministers, were filled with indignation when the Junta began to touch the privileges of their order, and plainly saw that the measures of the commons tended no less to break the power of the aristocracy, than to limit the prerogatives of the crown. The resentment which they had conceived on account of Adrian’s promotion to the regency, abated considerably upon the emperor’s raising the constable and admiral to joint power with him in that office; and as their pride and dignity were less hurt by suffering the prince to possess an extensive prerogative, than by admitting the high pretensions of the people, they determined to give their sovereign the assistance which he had demanded of them, and began to assemble their vassals for that purpose.

“The Junta, meanwhile, expected with impatience the emperor’s answer to their remonstrance, which they had appointed

some of their number to present. The members intrusted with this commission set out immediately for Germany, but having received at different places certain intelligence from court, that they could not venture to appear there without endangering their lives, they stopped short in their journey, and acquainted the Junta with the information which had been given them. This excited such violent passions as transported the whole party beyond all bounds of prudence or of moderation. That a king of Castile should deny his subjects access into his presence, or refuse to listen to their humble petitions, was represented as an act of tyranny so unprecedented and intolerable, that nothing now remained but with arms in their hands to drive away that ravenous band of foreigners which encompassed the throne, who, after having devoured the wealth of the kingdom, found it necessary to prevent the cries of an injured people from reaching the ears of their sovereign. Many insisted warmly on approving a motion which had formerly been made, for depriving Charles, during the life of his mother, of the regal titles and authority which had been too rashly conferred upon him, from a false supposition of her total inability for government. Some proposed to provide a proper person to assist her in the administration of public affairs, by marrying the queen to the prince of Calabria, the heir of the Aragonese kings of Naples, who had been detained in prison since the time that Ferdinand had dispossessed his ancestors of their crown. All agreed that, as the hopes of obtaining redress and security merely by presenting their requests to their sovereign, had kept them too long in a state of inaction, and prevented them from taking advantage of the unanimity with which the nation declared in their favour, it was now necessary to collect their whole force, and to exert themselves with vigour, in opposing this fatal combination of the king and the nobility against their liberties.

“They soon took the field with twenty thousand men. After some success and many mistakes in their military operations, the Junta was finally defeated at Villalar, April 22d, 1522, and Padilla, their General, was taken prisoner, and put to death the next day without even the form of a trial. He spent the night in writing two letters, one to the city of Toledo, and one to his wife.” They are his sufficient eulogy, and we shall insert them here.

The Letter of Don John Padilla to the City of Toledo.

“To thee, the crown of Spain, and the light of the whole world, free from the time of the mighty Goths: to thee, who, by shedding the blood of strangers, as well as thy own blood, hast recovered liberty for thyself and thy neighbouring cities, thy legitimate son, Juan de Padilla, gives information, how by the blood of his body, thy ancient victories are to be refreshed. If fate hath not permitted my actions to be placed among your successful and celebrated exploits, the fault hath been in my ill fortune, not in my good will. This I request of thee as of a mother, to accept, since God hath given me nothing more to lose for thy sake, than that which I am now to relinquish. I am more solicitous about thy good opinion than about my own life. The shiftings of fortune, which never stands still, are many. But this I see with infinite consolation, that I, the least of thy children, suffer death for thee, and that thou hast nursed at thy breasts such as may take vengeance for my wrongs. Many tongues will relate the manner of my death, of which I am still ignorant, though I know it to be near. My end will testify what was my desire. My soul I recommend to thee as to the patroness of Christianity. Of my body I say nothing, for it is not mine. I can write nothing more, for at this very moment I feel the knife at my throat, with greater dread of thy displeasure, than apprehension of my own pain.”

The Letter to his Wife.

“SENORA,

“If your grief did not afflict me more than my own death, I should deem myself perfectly happy. For the end of life being certain to all men, the Almighty confers a mark of distinguishing favour upon that person, for whom he appoints a death such as mine, which though lamented by many, is nevertheless acceptable unto him. It would require more time than I now have, to write anything that could afford you consolation. *That* my enemies will not grant me, nor do I wish to delay the reception of that crown which I hope to enjoy. You may bewail your own loss, but not my death, which, being so honourable, ought not to be lamented by any. My spirit, for nothing else is left to me, I bequeath to you. You will receive it, as the thing

in this world which you value most. I do not write to my father Pero Lopez, because I dare not; for though I have shown myself to be his son in daring to lose my life, I have not been the heir of his good fortune. I will not attempt to say anything more, that I may not tire the executioner, who waits for me; and that I may not excite a suspicion, that, in order to prolong my life, I lengthen out my letter. My servant Sosia, an eye-witness, and to whom I have communicated my most secret thoughts, will inform you of what I cannot now write, and thus I rest, expecting the instrument of your grief, and of my deliverance." Sandov. Hist. vol. i. p. 478.

Padilla's widow, Donna Maria Pacheco, showed herself worthy of her husband, and prosecuted that cause in defence of which he had suffered.

"Respect for her sex, or admiration for her courage and abilities, as well as sympathy with her misfortunes, and veneration for the memory of her husband, secured her the same ascendant over the people which he had possessed. The prudence and vigour with which she acted, justified that confidence they placed in her. She wrote to the French general in Navarre, encouraging him to invade Castile by the offer of powerful assistance. She endeavoured by her letters and emissaries to revive the spirit and hopes of the other cities. She raised soldiers, and exacted a great sum from the clergy belonging to the cathedral, in order to defray the expense of keeping them on foot. She employed every artifice that could interest or inflame the populace. For this purpose she ordered crucifixes to be used by her troops instead of colours, as if they had been at war with the infidels and enemies of religion; she marched through the streets of Toledo with her son, a young child, clad in deep mourning seated on a mule, having a standard carried before him, representing the manner of his father's execution. By all these means she kept the minds of the people in such perpetual agitation as prevented their passions from subsiding, and rendered them insensible of the dangers to which they were exposed, by standing alone in opposition to the royal authority. While the army was employed in Navarre, the regents were unable to attempt the reduction of Toledo by force; and all their endeavours, either to diminish Donna Maria's credit with the people, or to gain her by large promises

and the solicitations of her brother the Marquis de Mondecar, proved ineffectual. Upon the expulsion of the French out of Navarre, part of the army returned into Castile, and invested Toledo. Even this made no impression on the intrepid and obstinate courage of Donna Maria. She defended the town with vigour, her troops in several sallies beat the royalists, and no progress was made towards reducing the place, until the clergy, whom she had highly offended by invading their property, ceased to support her. As soon as they received information of the death of William de Croy, archbishop of Toledo, whose possession of that see was their chief grievance, and that the emperor had named a Castilian to succeed him, they openly turned against her, and persuaded the people that she had acquired such influence over them, by the force of enchantments, that she was assisted by a familiar *dæmon* which attended her in the form of a Negro-maid, and that by its suggestions she regulated every part of her conduct. The credulous multitude, whom their impatience of a long blockade, and despair of obtaining succours either from the cities formerly in confederacy with them, or from the French, rendered desirous of peace, took arms against her, and driving her out of the city, surrendered it to the royalists. She retired to the citadel, which she defended with amazing fortitude four months longer; and when reduced to the last extremities, she made her escape in disguise, and fled to Portugal, where she had many relations.

“Upon her flight, the citadel surrendered. Tranquillity was re-established in Castile; and this bold attempt of the commons, like all unsuccessful insurrections, contributed to confirm and extend the power of the crown, which it was intended to moderate and abridge. The Cortes still continued to make a part of the Castilian constitution, and was summoned to meet whenever the king stood in need of money; but instead of adhering to their ancient and cautious form of examining and redressing public grievances, before they proceeded to grant any supply, the more courtly custom of voting a donative in the first place was introduced, and the sovereign having obtained all that he wanted, never allowed them to enter into any inquiry, or to attempt any reformation injurious to his authority. The privileges which the cities had enjoyed were gradually circumscribed or abolished; *their commerce began from this period to decline*; and becoming less wealthy and less populous,

they lost that power and influence which they had acquired in the Cortes."

Meanwhile there was civil war in Valencia, carried on by the Germanada, to whom Charles had formerly granted the use of arms, against the nobility, with whom he was, at the time of the grant, angry. At first he left the nobles to fight their own battle, but after the victory of Villalar he dispatched to their assistance a body of Castilian cavalry; the insurrection was put down, and the republican government that had been established was overthrown, the leaders suffering most cruel deaths.

There were also disaffections in Aragon, and a formidable insurrection in Majorea, and it seems as if it was only to the circumstance, that the several kingdoms of Spain did not make common cause, that Charles owed the preservation of his Spanish crowns.

On his return to Spain, after these commotions, he acted with the cool prudence characteristic of him. After a rebellion so general, scarcely twenty persons were punished capitally, and this clemency, together with his care to avoid giving more offence, conciliated the war-wearied people. The nobles also supported his authority against the commons, whose late movements had been to them no less terrific than to the emperor.

But it was only because Charles had not the power to do otherwise, that he showed this clemency. In 1539, when wanting money to pay the Imperial army, which had served him in Italy and elsewhere, "he assembled the Cortes of Castile at Toledo, and having represented to them the extraordinary expense of his military operations, together with the great debts in which these had necessarily involved him, he proposed to levy such supplies as the present exigency of his affairs demanded, by a general excise on commodities. But the Spaniards already felt themselves oppressed with a load of taxes unknown to their ancestors. They had often complained that their country was drained not only of its wealth but of its inhabitants, in order to prosecute quarrels in which it was not interested, and to fight battles from which it could reap no benefit, and they determined not to add voluntarily to their own burdens, or to furnish the Emperor with the means of engaging in new enterprises, no less ruinous to the kingdom than most of those which he had hitherto carried on. The nobles, in par-

ticular, inveighed with great vehemence against the imposition proposed, as an encroachment upon the valuable and distinguishing privilege of their order, that of being exempted from the payment of any tax. They demanded a conference with the representatives of the cities concerning the state of the nation. They contended that if Charles would imitate the example of his predecessors, who had resided constantly in Spain, and would avoid entangling himself in a multiplicity of transactions foreign to the concerns of his Spanish dominions, the stated revenues of the crown would be fully sufficient to defray the necessary expenses of government. They represented to him, that it would be unjust to lay new burdens upon the people, while this prudent and effectual method of reëstablishing public credit, and securing national opulence, was totally neglected. Charles, after employing arguments, entreaties, and promises, but without success, in order to overcome their obstinacy, dismissed the assembly with great indignation. From that period neither the nobles nor the prelates have been called to these assemblies, on pretence that such as pay no part of the public taxes, should not claim any vote in laying them on. None have been admitted to the Cortes but the procurators or representatives of eighteen cities. These, to the number of thirty-six, being two from each community, form an assembly which bears no resemblance either in power, or dignity, or independence, to the ancient Cortes, and are absolutely at the devotion of the court in all their determinations. Thus the imprudent zeal with which the Castilian nobles had supported the regal prerogative, in opposition to the claims of the commons during the commotions in the year 1521, proved at last fatal to their own body. By enabling Charles to depress one of the orders in the state, they destroyed that balance to which the constitution owed its security, and put it in his power, or in that of his successors, to humble the other, and to strip it gradually of its most valuable privileges."

Thus coolly, and without a groan of sympathy, does Robertson relate a crime which extinguished a great nation.

But in this instance, it must be confessed, that the crime is less liable to awaken the indignation of the historian and his readers, because *Might* seems to *have made* *Right*; this last outrage was not resisted. When Charles V. thus coolly drove the ploughshare of destruction over the constitutional

rights of Spain, we cannot but wonderingly inquire, where are those proud and turbulent Aragonese, Catalonians, Castilians, from whom he and his courtiers so narrowly escaped with life, when, in order to force from them 200,000 ducats, he removed the Cortes from Valladolid to Compostella, by an exertion of his royal prerogative? Where are those "Children of Toledo," invoked by the dying Padilla to take vengeance for the wrongs he suffered in their cause? Whither, oh, whither has fled the spirit of the Holy Junta? What has Spain been doing in these last score of years, that it should be so changed? The ruthless will to destroy their constitutional rights in Charles V.—that can surprise us no longer; that is the inherited spirit, the essence of the family of Hapsburgh. How can any finite thing grow, *except after its kind?* What is wonderful is not that Charles, with the Pope, and Italy, and Flanders at his feet with the imperial army of Germany to execute his behests, so managing by his cold diplomacy and cunning hypocrisy all these forces, that they know not well what they are doing it is not wonderful that all this was too much for the material forces of Spain, or of any nation whatever, but it is wonderful, and it needs explanation, that, in Spain itself, not a battle was fought to sow the blood-seeds of a future harvest, not a solitary voice even uttered the death-shriek of freedom over their blood-honoured, time-honoured constitutional rights at the moment they were finally strangled.

We must, in fact, look in another quite different direction for the explanation of this fact, and, though it takes us a little out of the course of our appointed work, we shall take leave to do so.

Liberty, that uncontained, uncontainable *spirit*, which is the life of all life, at once its origin and its end, *what is it, where is it?* *Where the Spirit of the Lord is*, says the apostle, *there is liberty*. But let us not repeat these words technically; let us at once, 'clearing our minds of cant,' seize upon their meaning. In vain for us is the Spirit of the Lord; unless it is *incarnated*; and yet, when it becomes incarnate, let us realize that none the less is it the uncontained and uncontainable, and to be worshipped as such, neither in the temple nor on the mountain, but in spirit and in truth. Liberty is nothing if it is not the element of *manliness*. It exists for no nation any longer than *manliness* pervades the people. It is **ITSELF EVOLVED** from

the manliness of a people, and whatever may have been its triumphs on any soil, if the men of that soil change or become no longer manly, we may wander among the palaces or the cottages where they formerly dwelt, and inquire for its whereabouts in vain. Man cannot serve two masters, God and mammon. When the moment for Charles V.'s master-stroke came, instead of those men who once startled the echoes of the Sierras of Spain with their no to the demand of an encroaching royal prerogative, there are *ghouls* only, that inhabit castle and cottage, city palace and city bizarre ; the activity, the energy, the life-blood of the country, has gone over the sea ;—for America has been discovered ; the gold and silver mines of Mexico and Peru have been opened a, far off Eldorado, a *material* ‘fountain of immortal youth,’ that the *body* may imbibe, has seized the imagination and addressed every passion of the young men of the commons of Spain. The trees of the garden are so fine for the eyes, that the tree of life, which stands in the midst of the garden, is passed by, until at last the words of doom have been pronounced, and there is no winning the way back, but to fight with the flaming sword which turns every way.

We have said and seen, in the foregoing pages, that the stronghold of liberty is ever in THE COMMONS of a nation ; and no nobility is strengthened by manliness any farther, or any longer, than it makes common cause with the rights of the commons. The nobility of Spain deserted the commons in 1521, and this enabled Charles, in 1539, to do, as far as their order was concerned, what we have just recorded. Still there would have been hope for Spain, if—which is a fact very commonly overlooked—the commons had not been far away from sacred fatherland, drinking themselves drunk with the gold they had madly quaffed, after having waded through seas of Indian blood to seize it. But it may be asked, how could so base a quest have carried off noble men ? How could manly priests of the spirit of liberty have let the wine of immortality be spilled, while they were rushing madly after what could, at best, be of no value but as the chalice to hold it ?

It is the child's question, who wonders over the story of the chosen people of the Bible, that they could stray away from their invisible God and King after the stone and metal gods of the Pagans. Never was the most sordid of objects so enveloped in the robes of an angel of light. Who does not know that every

innocent and lawful affection, every noble and generous plan of usefulness to others, that the interests of science, nay, even those of religion itself, can most easily take on this garb of foreign adventure, after means to attain their object? And were not the emblems of religion—the crosier and the bread of the Lord—used freely by pope and prelate, to mystify and consecrate to the imaginative and superstitious their own desire of action and adventure, even their sordid lust of gold? Let us not revile, but LEARN that liberty is a jealous god, who will have no other gods before her, but inexorably visit on the children's children the faithlessness of their fathers to the Invisible Source, Guardian, Element, and End of a nation's life.

We do not pursue the history of Spain through the reigns of the other kings of the House of Austria, although there might be much gathered to illustrate our subject, even as late as the time of the War of Succession, when the Catalonians were faithful to the House of Austria, yet were heartlessly abandoned at last to the House of Bourbon, without any stipulations for mercy made for them by those whose interests they had defended so heroically. We must turn to the history of the Netherlands.

The Netherlands came under the House of Austria, as we have already seen, by the marriage of Maximilian I. with Mary, daughter of Charles the Bold. The constitutional liberties of the people, in some instances, dated as far back as the ninth century. Mr. Grattan, in his History of the Netherlands, says:—

“ From the time of Charlemagne, the people of the ancient Menapia formed political associations to raise a barrier against the despotic violence of the Franks. These associations were called *Gilden*, and in the Latin of the times *Gildonia*. They comprised, besides their covenants for mutual protection, an obligation which bound every member to give succour to any other, in cases of illness, conflagration, or shipwreck. But the growing force of these social compacts alarmed the quick-sighted despotism of Charlemagne, and they were, consequently, prohibited both by him and his successors. To give a notion of the importance of this prohibition to the whole of Europe, it is only necessary to state that the most ancient corporations (all which had preceded and engendered the most valuable municipal rights) were nothing more than *gilden*.

Thus, to draw an example from Great Britain, the corporative charter of Berwick still bears the title of *Charta Gildoniæ*. But the ban of the sovereigns was without efficacy, when opposed to the popular will. The gilden stood their ground; and within a century after the death of Charlemagne, all Flanders was covered with corporate towns.

“ This popular opposition took, however, another form in the northern parts of the country, which still bore the common name of Friesland; for there it was not merely local but national. The Frisons succeeded in obtaining the sanction of the monarch to consecrate, as it were, those rights which were established under the ancient forms of government. The fact is undoubted; but the means which they employed are uncertain. It appears most probable that this great privilege was the price of their military services; for they held a high place in the victorious armies of Charlemagne; and Turpin, the old French romancer, alluding to the popular traditions of his time, represents the warriors of Friesland as endowed with the most heroic valor.

“ These rights, which the Frisons secured, according to their own statements, from Charlemagne, but most undoubtedly from some one or other of the earliest emperors, consisted, first, in the freedom of every order of citizens; secondly, in the right of property,—a right which admitted no authority of the sovereign to violate by confiscation, except in cases of downright treason; thirdly, in the privilege of trial by none but native judges, and according to their national usages; fourthly, in a very narrow limitation of the military services which they owed to the king; fifthly, in the hereditary title to feudal property, in direct line, on payment of certain dues or rents. These five principal articles sufficed to render Friesland, in its political aspect, totally different from the other portions of the monarchy. Their privileges secured, their property inviolable, their duties limited, the Frisons were altogether free from the servitude which weighed down France. It will soon be seen that these special advantages produced a government nearly analogous to that which *Magna Charta* was the means of founding at a later period in England.”

With respect to Flanders, Grattan also says:—

“ It was about the year 1100 that the commons began to possess the privilege of regulating their internal affairs: they

appointed their judges and magistrates, and attached to their authority the old custom of ordering all the citizens to assemble or march when the summons of the feudal lord sounded the signal for their assemblage or service. By this means each municipal magistracy had the disposal of a force far superior to those of the nobles, for the population of the towns exceeded both in number and discipline the vassals of the seigniorial lands. And these trained bands of the towns made war in a way very different from that hitherto practised; for the chivalry of the country, making the trade of arms a profession for life, the feuds of the chieftains produced hereditary struggles, almost always slow, and mutually disastrous. But the townsmen, forced to tear themselves from every association of home and its manifold endearments, advanced boldly to the object of the contest; never shrinking from the dangers of war, from fear of that still greater one to be found in a prolonged struggle. It is thus that it may be remarked, during the memorable conflicts of the thirteenth century, that when even the bravest of the knights advised their counts or dukes to grant or demand a truce, the citizen militia never knew but one cry—‘To the charge.’”

With such a background of privilege in their history, it is not strange that the Netherlands should have wished to make terms with Maximilian, before acknowledging his authority. They stipulated for their rights, and in a war which broke out in consequence of his attempt, after the death of Mary, to usurp power, his person was actually seized and imprisoned at Bruges; nor was he released until all Europe interposed; and then, only on conditions which, with the perfidy characteristic of his house, he violated as soon as he was free. “For,” as Mr. Grattan says, “these kind of compacts were never observed by the princes of those days, beyond the actual period of their capacity to violate them. The emperor having entered the Netherlands at the head of 40,000 men, Maximilian, so supported, soon showed his contempt for the obligations he had sworn to, and had recourse to force for the extension of his authority. The valour of the Flemings and the military talents of their leader, Philip of Cleves, thwarted all his projects, and a new compromise was entered into. Flanders paid a large subsidy, and held fast her rights. The German troops were sent into Holland, and employed for the extinction of the

Hoeks ; who, as they formed by far the weaker faction, were now soon destroyed. That province, which had been so long distracted by its intestine feuds, and which had consequently played but an insignificant part in the transactions of the Netherlands, now resumed its place; and acquired thenceforth new honor, till it at length came to figure in all the importance of historical distinction."

On obtaining the imperial crown, Maximilian was able to leave the scene of trouble, and invest Philip I. with the government of the Netherlands. The latter ensured his quiet possession of the place by renouncing all pretensions to Friesland, re-establishing commercial relations with England, whom Maximilian had offended, and taking care to consult the States-General on his projects of marriage with Joanna of Castile. His reign was rendered remarkable by the war of Friesland in defence of its independence against Albert of Saxony, to whom Maximilian had, as emperor, granted the stadholdership, as reward for services rendered. In this war Albert took by assault the town of Leuwaarden, on which occasion he had all the chief burghers *impaled*. But, fortunately for the country, he died in 1500, without having succeeded in his projects of usurpation.

In what spirit Charles V. treated his paternal heritage, may be judged by his conduct towards Ghent, when it attempted, in 1529, "to vindicate its rights and privileges against the exactions of his sister Margaret, whom Maximilian had made Governess of the Netherlands," after the death of Philip.

We quote the words of Robertson :—

"Having received orders from her brother to invade France, with all the forces she could raise, she assembled the States of the United Provinces, and obtained from them a subsidy of 1,200,000 florins, to defray the expense of that undertaking. Of this sum, the county of Flanders was obliged to pay a third part as its proportion. But the citizens of Ghent, the most considerable city in that country, averse to a war with France, with which they carried on an extensive and gainful commerce, refused to pay their quota, and contended, that in consequence of stipulations between them and the ancestors of their present sovereign, the Emperor, no tax could be levied upon them, unless they had given their express consent to the imposition of it. The governess, on the other hand, maintained, that as the

subsidy of 1,200,000 florins had been granted by the States of Flanders, of which their representatives were members, they were bound, of course, to conform to what was enacted by them, as it is the first principle in society on which the tranquillity and order of government depend, that the inclinations of the minority must be overruled by the judgment and decision of the superior number. The citizens of Ghent, however, were not willing to relinquish a privilege of such high importance as that which they claimed. Having been accustomed, under the government of the house of Burgundy, to enjoy extensive immunities, and to be treated with much indulgence, they disdained to sacrifice to the delegated power of a regent, those rights and liberties which they had often and successfully asserted against their greatest princes. The queen, though she endeavoured at first to soothe them, and to reconcile them to their duty by various concessions, was at last so much irritated by the obstinacy with which they adhered to their claim, that she ordered all the citizens of Ghent, on whom she could lay hold, in any part of the Netherlands, to be arrested. But this rash action made an impression very different from what she expected, on men whose minds were agitated with all the violent passions which indignation at oppression and zeal for liberty inspire. Less affected with the danger of their friends and companions, than irritated at the governess, they openly despised her authority and sent deputies to the other towns of Flanders, conjuring them not to abandon their country at such a juncture, but to concur with them in vindicating its rights against the encroachments of a woman who either did not know or did not regard their immunities. All but a few inconsiderable towns declined entering into a confederacy against the governess ; they joined, however, in petitioning her to put off the term for payment of the tax so long, that they might have it in their power to send some of their number into Spain, in order to lay their title to exemption before their sovereign. This she granted with some difficulty. But Charles received their commissioners with an haughtiness to which they were not accustomed from their ancient princes, and enjoining them to yield the same respectful obedience to his sister, which they owed to him in person, remitted the examination of their claim to the council of Malines. This court, which is properly a standing committee of the parliament, or States of the country, and

which possesses the supreme jurisdiction in all matters, civil as well as criminal, pronounced the claim of the citizens of Ghent to be ill-founded, and appointed them forthwith to pay their proportion of the tax."

An insurrection was the consequence, in which the Netherlanders relied upon the assistance of Charles's enemy, the king of France. But it was the interest or the humour of Francis, at the moment, rather to communicate their intentions to the emperor, to whom he at the same time granted a free passage through his dominions to the Netherlands. Thus abandoned, as Robertson continues :

" The near approach of danger made them at last so sensible of their own folly, that they sent ambassadors to Charles, imploring his mercy, and offering to set open their gates at his approach. The emperor, without vouchsafing any other answer, than that he would appear among them as their sovereign, with sceptre and sword in his hand, began his march at the head of his troops. Though he chose to enter the city on the twenty-fourth of February, his birth-day, he was touched with nothing of that tenderness or indulgence which was natural toward the place of his nativity. Twenty-six of the principal citizens were put to death ; a greater number was sent into banishment ; *the city was declared to have forfeited all its privileges and immunities* ; the revenues belonging to it were confiscated ; *its ancient form of government was abolished* ; the nomination of its magistrates was vested for the future in the emperor and his successors ; *a new system of laws and political administration was prescribed* ; and, in order to bridle the seditious spirit of the citizens, orders were given to erect a strong citadel, for defraying the expense of which a fine of 180,000 florins was imposed on the inhabitants, together with an annual tax of 6,000 florins for the support of the garrison. By these rigorous proceedings, Charles not only punished the citizens of Ghent, but set an awful example of severity before the other subjects in the Netherlands, whose immunities and privileges, *partly the effect, partly the cause of their extensive commerce*, circumscribed the prerogative of their sovereign within very narrow bounds, and often stood in the way of measures which he wished to undertake, or fettered and retarded him in his operations."

We do not relate the shameful conduct of Charles to Francis, at this time, being obliged by the limitations of our plan to confine ourselves principally to the crimes of the House of Austria against liberty and law, and to omit its bad faith towards brother despots.

Before we go on to speak of the atrocious reign of Philip II. over the Netherlands, we will copy a paragraph from Mr. Grattan, in which is described the condition of the country at the time of his accession, which he introduces with some references to the causes of its prosperity.

“The amazing increase of commerce was, above all other considerations, the cause of the growth of liberty in the Netherlands. The Reformation opened the minds of men to that intellectual freedom, without which political enfranchisement is a worthless privilege. The invention of printing opened a thousand channels to the flow of erudition and talent, and sent them out from the reservoirs of individual possession to fertilise the whole domain of human nature. War, which seems to be an instinct of man, and which particular instances of heroism often raise to the dignity of a passion, was reduced to a science, and made subservient to those great principles of policy in which society began to perceive its only chance of durable good. Manufactures attained a state of high perfection, and went on progressively with the growth of wealth and luxury. The opulence of the towns of Brabant and Flanders was without any previous example in the state of Europe. A merchant of Bruges took upon himself alone the security for the ransom of John the Fearless, taken at the battle of Nicopolis, amounting to 200,000 ducats. A provost of Valenciennes repaired to Paris at one of the great fairs periodically held there, and purchased on his own account every article that was for sale. At a repast given by one of the counts of Flanders to the Flemish magistrates, the seats they occupied were unfurnished with cushions. Those proud burghers folded their sumptuous cloaks and sat on them. After the feast they were retiring without retaining these important and costly articles of dress; and on a courtier reminding them of their apparent neglect, the burgomaster of Bruges replied, ‘We Flemings are not in the habit of carrying away the cushions after dinner!’ The meetings of the different towns for the sports of archery were signalised by the most splendid display

of dress and decoration. The archers were habited in silk, damask, and the finest linen, and carried chains of gold of great weight and value. Luxury was at its height among women. The queen of Philip the Fair of France, on a visit to Bruges, exclaimed, with astonishment not unmixed with envy, I thought myself the only queen here ; but I see six hundred others who appear more so than I.

“The external relations of the country presented an aspect of prosperity and peace. England was closely allied to it by queen Mary’s marriage with Philip; France, fatigued with war, had just concluded with it a five years’ truce; Germany, paralyzed by religious dissensions, exhausted itself in domestic quarrels; the other states were too distant or too weak to inspire any uneasiness; and nothing appeared wanting for the public weal. Nevertheless there was something dangerous and alarming in the situation of the Low Countries; but the danger consisted wholly in the connection between the monarch and the people, and the alarm was not sounded till the mischief was beyond remedy.

“Philip had only once visited the Netherlands before his accession to sovereign power. Being at that time twenty-two years of age, his opinions were formed and his prejudices deeply rooted. Everything that he observed on this visit was calculated to revolt both. The frank cordiality of the people appeared too familiar. The expression of popular rights sounded like the voice of rebellion. Even the magnificence displayed in his honor offended his jealous vanity. From that moment he seems to have conceived an implacable aversion to the country, in which alone, of all his vast possessions, he could not display the power or inspire the terror of despotism.

“The sovereign’s dislike was fully equalled by the disgust of his subjects. His haughty severity and vexatious etiquette revolted their pride as well as their plain dealing; and the moral qualities of their new sovereign were considered with loathing. The commercial and political connection between the Netherlands and Spain had given the two people ample opportunities for mutual acquaintance. The dark, vindictive dispositions of the latter inspired a deep antipathy in those whom civilisation had softened and liberty rendered frank and generous; and the new sovereign seemed to embody all that was repulsive and odious in the nation of which he was the type.

“Philip knew well that force alone was insufficient to reduce such a people to slavery. He succeeded in persuading the states to grant him considerable subsidies, some of which were to be paid by instalments during a period of nine years. That was gaining a great step towards his designs, as it superseded the necessity of a yearly application to the three orders, the guardians of the public liberty. At the same time he sent secret agents to Rome, to obtain the approbation of the pope to his insidious but most effective plan for placing the whole of the clergy in dependence upon the crown. He also kept up the army of Spaniards and Germans which his father had formed on the frontiers of France; and although he did not remove from their employments the functionaries already in place, he took care to make no new appointments to office among the natives of the Netherlands.

“In the midst of these cunning preparations for tyranny, Philip was suddenly attacked in two quarters at once; by Henry II. of France, and by Pope Paul IV.”

The important results of these two wars, the alliance of France, and the support of the Pope, results brought about by the incredible baseness and hypocrisy of Philip; together with the hostility of Elizabeth of England, which he provoked by the treaty of Chateau Cambresis, (1559,) were all made subservient to the grand design of consolidating despotism in the Netherlands.

“To lead his already deceived subjects the more surely into the snare, he announced his intended departure on a short visit to Spain; and created for the period of his absence a provisional government, chiefly composed of the leading men among the Belgian nobility. He flattered himself that the states, dazzled by the illustrious illusion thus prepared, would cheerfully grant to this provisional government the right of levying taxes during the temporary absence of the sovereign. He also reckoned on the influence of the clergy in the national assembly, to procure the revival of the edicts against heresy, which he had gained the merit of suspending. These, with many minor details of profound duplicity, formed the principal features of a plan, which, if successful, would have reduced the Netherlands to the wretched state of colonial dependence by which Naples and Sicily were held in the tenure of Spain.

“ As soon as the states had consented to place the whole powers of government in the hands of the new administration for the period of the king’s absence, the royal hypocrite believed his scheme secure, and flattered himself he had established an instrument of durable despotism. The composition of this new government was a masterpiece of political machinery. It consisted of several councils, in which the most distinguished citizens were entitled to a place, in sufficient numbers to deceive the people with a show of representation, but not enough to command a majority, which was sure on any important question to rest with the titled creatures of the court. The edicts against heresy, soon adopted, gave to the clergy an almost unlimited power over the lives and fortunes of the people. But almost all the dignitaries of the church being men of great respectability and moderation, chosen by the body of the inferior clergy, these extraordinary powers excited little alarm. Philip’s project was suddenly to replace these virtuous ecclesiastics by others of his own choice, as soon as the states broke up from their annual meeting; and for this intention he had procured the secret consent and authority of the court of Rome.

“ In support of these combinations, the Belgian troops were completely broken up and scattered in small bodies over the country. The whole of this force, so redoubtable to the fears of despotism, consisted of only 3000 cavalry. It was now divided into fourteen companies (or squadrons in the modern phraseology,) under the command of as many independent chiefs, so as to leave little chance of any principle of union reigning among them. But the German and Spanish troops in Philip’s pay were cantoned on the frontiers, ready to stifle any incipient effort in opposition to his plans. In addition to these imposing means for their execution, he had secured a still more secret and more powerful support;—a secret article in the treaty of Chateau-Cambresis obliged the king of France to assist him with the whole armies of France against his Belgian subjects, should they prove refractory. Thus the late war, of which the Netherlands had borne all the weight, and earned all the glory, only brought about the junction of the defeated enemy with their own king for the extinction of their national independence.

“ To complete the execution of this system of perfidy, Philip convened an assembly of all the states at Ghent, in the month

of July, 1559. This meeting of the representatives of the three orders of the state offered no apparent obstacle to Philip's views. The clergy, alarmed at the progress of the new doctrines, gathered more closely round the government of which they required the support. The nobles had lost much of their ancient attachment to liberty; and had become, in various ways, dependent on the royal favour. Many of the first families were then represented by men possessed rather of courage and candour than of foresight and sagacity. That of Nassau, the most distinguished of all, seemed the least interested in the national cause. A great part of its possessions were in Germany and France, where it had recently acquired the sovereign principality of Orange. It was only from the third order—that of the commons—that Philip had to expect any opposition. Already, during the war, it had shown some discontent, and had insisted on the nomination of commissioners to control the accounts and the disbursements of the subsidies. But it seemed improbable, that among this class of men, any would be found capable of penetrating the manifold combinations of the king, and disconcerting his designs.

“Anthony Perrenotte de Granvelle, bishop of Arras, who was considered as Philip's favourite counsellor, but who was in reality no more than his docile agent, was commissioned to address the assembly in the name of his master, who spoke only Spanish. His oration was one of cautious deception, and contained the most flattering assurances of Philip's attachment to the people of the Netherlands. It excused the king for not having nominated his only son Don Carlos to reign over them in his name; alleging, as a proof of his royal affection, that he preferred giving them as governant a Belgian princess, Madame Marguerite, duchess of Parma, the natural daughter of Charles V. by a young lady, a native of Audenarde. Fair promises and fine words were thus lavished in profusion to gain the confidence of the deputies.

“But notwithstanding all the talent, the caution, and the mystery of Philip and his minister, there was among the nobles one man who saw through all. This individual, endowed with many of the highest attributes of political genius, and pre-eminently with judgment, the most important of all, entered fearlessly into the contest against tyranny—despising every personal sacrifice for the country's good. Without making

himself suspiciously prominent, he privately warned some members of the states of the coming danger. Those in whom he confided did not betray the trust. They spread among the other deputies the alarm, and pointed out the danger to which they had been so judiciously awakened. The consequence was, a reply to Philip's demand, in vague and general terms, without binding the nation by any pledge ; and an unanimous entreaty that he would diminish the taxes, withdraw the foreign troops, and entrust no official employments to any but natives of the country.

“ Philip was utterly astounded at all this. In the first moment of his vexation he imprudently cried out, ‘ Would ye, then, also bereave *me* of my place ; I, who am a Spaniard ? ’ But he soon recovered his self-command, and resumed his usual mask ; expressed his regret at not having sooner learned the wishes of the state ; promised to remove the foreign troops within three months ; and set off for Zealand, with assumed composure, but filled with the fury of a discovered traitor and humiliated despot.

“ A fleet under the command of count Horn, the admiral of the United Provinces, waited at Flessingue to form his escort to Spain. At the very moment of his departure, William of Nassau, prince of Orange and governor of Zealand, waited on him to pay his official respects. The king, taking him apart from the other attendant nobles, recommended him to hasten the execution of several gentlemen and wealthy citizens attached to the newly introduced religious opinions. Then, quite suddenly, whether in the random impulse of suppressed rage, or that his piercing glance discovered William's secret feelings in his countenance, he accused him with having been the means of thwarting his designs. ‘ Sire,’ replied Nassau, ‘ it was the work of the national states.’—‘ No ! ’ cried Philip, grasping him furiously by the arm ; ‘ it was not done by the states, but by you, and you alone ! ’ ”

“ This glorious accusation was not repelled. He who had saved his country in unmasking the designs of its tyrant, admitted by his silence his title to the hatred of the one and the gratitude of the other. On the 20th of August, Philip embarked and set sail ; turning his back for ever on the country which offered the first check to his despotism ; and, after a per-

ilious voyage, he arrived in that which permitted a free indulgence to his ferocious and sanguinary career.

“For some time after Philip’s departure, the Netherlands continued to enjoy considerable prosperity. From the period of the peace of Chateau-Cambresis, commerce and navigation had acquired new and increasing activity. The fisheries, but particularly that of herrings, became daily more important; that one alone occupying 2000 boats. While Holland, Zealand, and Friesland made this progress in their peculiar branches of industry, the southern provinces were not less active or successful. Spain and the colonies offered such a mart for the objects of their manufacture, that in a single year they received from Flanders fifty large ships, filled with articles of household furniture and utensils. The exportation of woollen goods amounted to enormous sums. Bruges alone sold annually to the amount of 4,000,000 florins of stuffs of Spanish, and as much of English, wool; and the least value of the florin then was quadruple its present worth. The commerce with England, though less important than that with Spain, was calculated yearly at 24,000,000 florins, which was chiefly clear profit to the Netherlands, as their exportations consisted almost entirely of objects of their own manufacture. Their commercial relations with France, Germany, Italy, Portugal, and the Levant, were daily increasing. Antwerp was the centre of this prodigious trade. Several sovereigns, among others Elizabeth of England, had recognized agents in that city, equivalent to consuls of the present times; and loans of immense amount were frequently negotiated by them with wealthy merchants, who furnished them, not in negotiable bills or for unredeemable debentures, but in solid gold, and on a simple acknowledgment.

“Flanders and Brabant were still the richest and most flourishing portions of the state. Some municipal fêtes given about this time afford a notion of their opulence. On one of these occasions the town of Mechlin sent a deputation to Antwerp, consisting of 326 horsemen dressed in velvet and satin with gold and silver ornaments; while those of Brussels consisted of 340 as splendidly equipped, and accompanied by seven huge triumphal chariots and seventy-eight carriages of various constructions,—a prodigious number for those days.”

We cannot give a complete account of the contest which Philip III. waged with the people of these rich and free pro-

vinces. That contest brought before the world the consummate ability and virtue of the first William of Orange, who at an early day penetrated, as we have seen, the designs of the tyrant, and until the unfortunate day in which he was murdered by the third assassin whom Philip had educated for the purpose, stood for the rights of his nation, glorious both in victory and defeat. We will make a few extracts to show the character of the events, happy if we succeed in sending our readers to study out all the details in Schiller's Revolt of the Netherlands, and Mr. Grattan's more extensive history of the country from its origin to the battle of Waterloo.

"The new bishops were to a man most violent, intolerant, and it may be conscientious, opponents to the wide-spreading doctrines of reform. The execution of the edicts against heresy was confided to them. The provincial governors and inferior magistrates were commanded to aid them with a strong arm; and the most unjust and frightful persecution immediately commenced. But still some of these governors and magistrates, considering themselves not only the officers of the prince, but the protectors of the people, and the defenders of the laws rather than of the faith, did not blindly conform to those harsh and illegal commands. The prince of Orange, stadholder of Holland, Zealand, and Utrecht, and count of Egmont, governor of Flanders and Artois, permitted no persecutions in those five provinces. But in various places the very people, even when influenced by their superiors, openly opposed it. Catholics as well as Protestants were indignant at the atrocious spectacles of cruelty presented on all sides. The public peace was endangered by isolated acts of resistance, and fears of a general insurrection soon became universal.

"The public fermentation subsided; the patriot lords reappeared at court; and the prince of Orange acquired an increasing influence in the council and over the government, who by his advice adopted a conciliatory line of conduct—a fallacious but still a temporary hope for the nation. But the calm was of short duration. Scarcely was this moderation evinced by the government, when Philip, obstinate in his designs, and outrageous in his resentment, sent an order to have the edicts against heresy put into most rigorous execution, and to proclaim throughout the seventeen provinces the furious decree of the council of Trent.

“Not satisfied with the hitherto established forms of punishment, Philip now expressly commanded that the more revolting means decreed by his father in the rigour of his early zeal, such as burning, living burial, and the like, should be adopted ; and he somewhat more obscurely directed that the victims should be no longer publicly immolated, but secretly destroyed. He endeavoured, by this vague phraseology, to avoid the actual utterance of the word *inquisition* ; but he thus virtually established that atrocious tribunal, with attributes still more terrific than even in Spain ; for there the condemned had at least the consolation of dying in open day, and of displaying the fortitude which is rarely proof against the horror of a private execution. Philip had thus consummated his treason against the principles of justice and the practices of jurisprudence, which had heretofore characterized the country ; and against the most vital of those privileges which he had solemnly sworn to maintain.

“His design of establishing this horrible tribunal so impiously named *holy* by its founders, had been long suspected by the people of the Netherlands. The expression of those fears had reached him more than once. He as often replied by assurances that he had formed no such project, and particularly to count d’Egmont during his recent visit to Madrid. But at the very time he assembled a conclave of his creatures, doctors of theology, of whom he formally demanded an opinion as to whether he could conscientiously tolerate two sorts of religion in the Netherlands. The doctors, hoping to please him, replied, that ‘he might, for the avoidance of a greater evil.’ Philip trembled with rage, and exclaimed, with a threatening tone, ‘I ask not if I *can*, but if I *ought*.’ The theologians read in this question the nature of the expected reply ; and it was amply conformable to his wish. He immediately threw himself on his knees before a crucifix, and raising his hands towards heaven, put up a prayer for strength in his resolution to pursue as deadly enemies all who viewed that effigy with feelings different from his own. If this were not really a sacrilegious farce, it must be that the blaspheming bigot believed the Deity to be a monster of cruelty like himself.

“And now in reality began the awful revolution of the Netherlands against their tyrant. In a few years this so lately flourishing and happy nation presented a frightful picture ; and

in the midst of European peace, prosperity, and civilization, the wickedness of one prince drew down on the country he misgoverned more evils than it had suffered for centuries from the worst effects of his foreign foes.

“The confederation acquired its perfect organization in the month of February, 1566, on the 10th of which month its celebrated manifesto was signed by its numerous adherents.

“This remarkable proclamation of general feeling consisted chiefly in a powerful reprehension of the illegal establishment of the inquisition in the Low Countries, and a solemn obligation on the members of the confederacy to unite in the common cause against this detested nuisance. Men of all ranks and classes offered their signatures, and several Catholic priests among the rest.

“Even while the council of state held its sittings, the report was spread through Brussels, that the confederates were approaching. And at length they did enter the city, to the amount of some hundreds of the representatives of the first families in the country. On the following day, the 5th of April, 1556, they walked in solemn procession to the palace. Their demeanour was highly imposing, from their mingled air of forbearance and determination. All Brussels thronged out, to gaze and sympathise with this extraordinary spectacle of men whose resolute step showed they were no common supplicants, but whose modest bearing had none of the seditious air of faction. The government received the distinguished petitioners with courtesy, listened to their detail of grievances, and returned a moderate, conciliatory, but evasive answer.

“Having presented two subsequent remonstrances to the government, and obtained some consoling promises of moderation, the chief confederates quitted Brussels, leaving several directors to sustain their cause in the capital; while they themselves spread into the various provinces, exciting the people to join the legal and constitutional resistance with which they were resolved to oppose the march of bigotry and despotism.

“The confederation gained ground every day. Its measures had totally changed the face of affairs in all parts of the nation. The general discontent now acquired stability, and subsequent importance. The chief merchants of many of the towns enrolled themselves in the patriot band.”

The result of these first measures was a deputation from Marguerite to Philip, praying for redress of the grievances named by the confederation ; and even Philip's Spanish Councillors advised gentleness and the abolition of the Inquisition.

“ The king's first care on receiving this advice was to order, in all the principal towns of Spain and the Netherlands, prayer and processions, to implore the divine approbation on the resolutions which he had formed. He appeared then in person at the council of state, and issued a decree, by which he refused his consent to the convocation of the states-general, and bound himself to take several German regiments into his pay. He ordered the duchess of Parma, by a private letter, to immediately cause to be raised 3000 cavalry and 10,000 foot, and he remitted to her for this purpose 300,000 florins gold. He next wrote with his own hand to several of his partisans in the various towns, encouraging them in their fidelity to his purposes, and promising them his support. He rejected the adoption of the moderation recommended to him ; but he consented to the abolition of the inquisition in its most odious sense, reëstablishing that modified species of ecclesiastical tyranny which had been introduced into the Netherlands by Charles V. The people of that devoted country were thus successful in obtaining one important concession from the king, and in meeting unexpected consideration from this Spanish council. Whether these measures had been calculated with a view to their failure, it is not now easy to determine ; at all events they came too late. When Philip's letters reached Brussels, the iconoclasts or image-breakers were abroad.

“ It requires no profound research to comprehend the impulse which leads a horde of fanatics to the most monstrous excesses. That the deeds of the iconoclasts arose from the spontaneous outburst of mere vulgar fury, admits of no doubt. The aspersion which would trace those deeds to the meeting of St. Trond, and fix the infamy on the body of nobility there assembled, is scarcely worthy of refutation. The very lowest of the people were the actors as well as the authors of the outrages, which were at once shocking to every friend of liberty, and injurious to that sacred cause. Artois and western Flanders were the scenes of the first exploits of the iconoclasts. A band of peasants, intermixed with beggars and various other vagabonds, to the amount of about 300, urged by fanaticism

and those baser passions which animate every lawless body of men, armed with hatchets, clubs, and hammers, forced open the doors of some of the village churches in the neighbourhood of St. Omer, and tore down and destroyed not only the images and relics of saints, but those very ornaments which Christians of all sects hold sacred, and essential to the most simple rites of religion.

“ The cities of Ypres, Lille, and other places of importance, were soon subject to similar visitations ; and the whole of Flanders was in a few days ravaged by furious multitudes, whose frantic energy spread terror and destruction on their route. Antwerp was protected for a while by the presence of the prince of Orange ; but an order from the government having obliged him to repair to Brussels, a few nights after his departure the celebrated cathedral shared the fate of many a minor temple, and was utterly pillaged. The blind fury of the spoilers was not confined to the mere effigies which they considered the types of idolatry, nor even to the pictures, the vases, the sixty-six altars, and their richly wrought accessories ; but it was equally fatal to the splendid organ, which was considered the finest at that time in existence. The rapidity and the order with which this torchlight scene was acted, without a single accident among the numerous doers, has excited the wonder of almost all its early historians. One of them does not hesitate to ascribe the ‘miracle’ to the absolute agency of demons. For three days and nights these revolting scenes were acted, and every church in the city shared the fate of the cathedral, which, next to St. Peter’s at Rome, was the most magnificent in Christendom.

“ Ghent, Tournay, Valenciennes, Mechlin, and other cities, were next the theatres of similar excesses ; and in an incredibly short space of time above 400 churches were pillaged in Flanders and Brabant. Zealand, Utrecht, and others of the northern provinces, suffered more or less ; Friesland, Guelders, and Holland alone escaped, and even the latter but in partial instances.

“ These terrible scenes extinguished every hope of reconciliation with the king. An inveterate and interminable hatred was now established between him and the people ; for the whole nation was identified with deeds which were in reality only shared by the most base, and were loathsome to all who

were enlightened. It was in vain that the patriot nobles might hope or strive to exculpate themselves ; they were sure to be held criminal either in fact or by implication. No show of loyalty, no efforts to restore order, no personal sacrifice, could save them from the hatred or screen them from the vengeance of Philip.

“ The affright of the government during the short reign of anarchy and terror was without bounds.

“ Necessity now extorted almost every concession which had been so long denied to justice and prudence. The confederates were declared absolved from all responsibility relative to their proceedings. The suppression of the inquisition, the abolition of the edicts against heresy, and a permission for the preachings, were simultaneously published.

“ Philip was ill at Segovia when he received accounts of the excesses of the image-breakers, and of the convention concluded with the heretics. Dispatches from the government, with private advices from Viglius, Egmont, Mansfield, Megham, de Berlaimont, and others, gave him ample information as to the real state of things, and they thus strove to palliate their having acceded to the convention. The emperor even wrote to his royal nephew, imploring him to treat his wayward subjects with moderation, and offered his mediation between them.”

But all was in vain. Philip proceeded with his usual dissimulation. His artifices succeeded in disuniting the Protestants, but hostilities commenced, and there were victories and losses on both sides ; new preliminaries of reconciliation, falsely intended, and resulting only in the self-banishment of the patriot lords and an immense emigration ; until at last Philip fully developed his plans by sending Alva to supersede Marguerite.

“ On the 5th May, 1567, this celebrated captain, whose reputation was so quickly destined to sink into the notoriety of an executioner, began his memorable march ; and on the 22d of August, he, with his two natural sons, and his veteran army consisting of about 15,000 men, arrived at the walls of Brussels. The discipline observed on this march was a terrible forewarning to the people of the Netherlands of the influence of the general and the obedience of the troops. They had little chance of resistance against such soldiers so commanded.

“ Several of the Belgian nobility went forward to meet Alva, to render him the accustomed honours, and endeavour thus early

to gain his good graces. Among them was the infatuated Egmont, who made a present to Alva of two superb horses, which the latter received with a disdainful air of condescension. Alva's first care was the distribution of his troops—several thousands of whom were placed in Antwerp, Ghent, and other important towns, and the remainder reserved under his own immediate orders at Brussels. His approach was celebrated by universal terror; and his arrival was thoroughly humiliating to the duchess of Parma. He immediately produced his commission as commander-in-chief of the royal armies in the Netherlands; but he next showed her another, which confided to him powers infinitely more extended than any Marguerite herself had enjoyed, and which proved to her that the almost sovereign power over the country was virtually vested in him.

“Alva first turned his attention to the seizure of those patriot lords whose pertinacious infatuation left them within his reach. He summoned a meeting of all the members of the council of state and the knights of the order of the Golden Fleece, to deliberate on matters of great importance. Counts Egmont and Horn attended, among many others; and at the conclusion of the council they were both arrested (some historians assert by the hands of Alva and his eldest son), as was also Van Straeten, burgomaster of Antwerp, and Casambrot, Egmont's secretary. The young count of Mansfield appeared for a moment at this meeting; but, warned by his father of the fate intended him, as an original member of the confederation, he had time to fly. The count of Hoogstraeten was happily detained by illness, and thus escaped the fate of his friends. Egmont and Horn were transferred to the citadel of Ghent, under an escort of 3000 Spanish soldiers. Several other persons of the first families were arrested; and those who had originally been taken in arms were executed without delay.

“The next measures of the new governor were the reëstablishment of the inquisition, the promulgation of the decrees of the council of Trent, the revocation of the duchess of Parma's edicts, and the royal refusal to recognize the terms of her treaties with the Protestants. He immediately established a special tribunal, composed of twelve members, with full powers to inquire into and pronounce judgment on every circumstance connected with the late troubles. He named himself president of this council, and appointed a Spaniard, named Vargas, as

vice-president—a wretch of the most diabolical cruelty. Several others of the judges were also Spaniards, in direct infraction of the fundamental laws of the country. This council, immortalized by its infamy, was named by the new governor (for so Alva was in fact, though not yet in name), the Council of Troubles. By the people it was soon designated the Council of Blood. In its atrocious proceedings no respect was paid to titles, contracts, or privileges, however sacred. Its judgments were without appeal. Every subject of the state was amenable to its summons; clergy and laity, the first individuals of the country, as well as the most wretched outcasts of society. Its decrees were passed with disgusting rapidity and contempt of form. Contumacy was punished with exile and confiscation. Those who, strong in innocence, dared to brave a trial, were lost without resource. The accused were forced to its bar without previous warning. Many a wealthy citizen was dragged to trial four leagues' distance, tied to a horse's tail. The number of victims was appalling. On one occasion, the town of Valenciennes alone saw fifty-five of its citizens fall by the hands of the executioner. Hanging, beheading, quartering, and burning, were the every-day spectacles. The enormous confiscations only added to the thirst for gold and blood by which Alva and his satellites were parched. History offers no example of parallel horrors: for while party vengeance on other occasions had led to scenes of fury and terror, they arose, in this instance, from the vilest cupidity and the most cold-blooded cruelty.

“After *three months* of such atrocity, Alva, fatigued rather than satiated with butchery, resigned his hateful functions wholly into the hands of Vargas, who was chiefly aided by the members Delrio and Dela Torre. Even at this remote period we cannot repress the indignation excited by the mention of those monsters, and it is impossible not to feel satisfaction in fixing upon their names the brand of historic execration. One of these wretches, called Hesselts, used at length to sleep during the mock trials of the already doomed victims; and as often as he was roused up by his colleagues, he used to cry out mechanically, “To the gibbet! to the gibbet!” so familiar was his tongue with the sounds of condemnation.

“The despair of the people may be imagined from the fact, that until the end of the year 1567 their only consolation was the prospect of the king's arrival! He never dreamt of com-

ing. Even the delight of feasting in horrors like these could not conquer his indolence. The good duchess of Parma,—for so she was in comparison with her successor,—was not long left to oppose the feeble barrier of her prayers between Alva and his victims. She demanded her dismissal from the nominal dignity, which was now but a title of disgrace. Philip granted it readily, accompanied by a hypocritical letter, a present of 30,000 crowns, and the promise of an annual pension of 20,000 more. She left Brussels in the month of April, 1568, raised to a high place in the esteem and gratitude of the people, less by any actual claims from her own conduct, than by its fortuitous contrast with the infamy of her successor. She retired to Italy, and died at Naples in the month of February, 1586.

“In addition to the horrors acted by the Council of Blood, Alva committed many deeds of collateral but minor tyranny: among others, he issued a decree forbidding, under severe penalties, any inhabitant of the country to marry without his express permission. His furious edicts against emigration were attempted to be enforced in vain. Elizabeth of England opened all the ports of her kingdom to the Flemish refugees, who carried with them those abundant stores of manufacturing knowledge which she wisely knew to be the elements of national wealth.

“Alva soon summoned the prince of Orange, his brothers, and all the confederate lords, to appear before the council and answer to the charge of high treason. The prince gave a prompt and contemptuous answer, denying the authority of Alva and his council, and acknowledging for his judges only the emperor, whose vassal he was, or the king of Spain in person, as president of the order of the Golden Fleece. The other lords made replies nearly similar. The trials of each were, therefore, proceeded on, by contumacy; confiscation of property being an object almost as dear to the tyrant viceroy as the death of his victims. Judgments were promptly pronounced against those present or absent, alive or dead. Witness the case of the unfortunate marquess of Bergues, who had previously expired at Madrid, as was universally believed, by poison; and his equally ill-fated colleague in the embassy, the baron Montigny, was for a while imprisoned at Segovia, where he was soon after secretly beheaded, on the base pretext of former disaffection.

“The departure of the duchess of Parma having left Alva undisputed as well as unlimited authority, he proceeded rapidly in his terrible career. The count of Beuren was seized at Louvain, and sent prisoner to Madrid ; and wherever it was possible to lay hands on a suspected patriot, the occasion was not neglected. It would be a revolting task to enter into a minute detail of all the horrors committed, and impossible to record the names of the victims who so quickly fell before Alva’s insatiate cruelty. The people were driven to frenzy. Bands of wretches fled to the woods and marshes ; whence, half famished and perishing for want, they revenged themselves with pillage and murder. Pirates infested and ravaged the coast ; and thus, from both sea and land, the whole extent of the Netherlands was devoted to carnage and ruin. The chronicles of Brabant and Holland, chiefly written in Flemish by contemporary authors, abound in thrilling details of the horrors of this general desolation, with long lists of those who perished. Suffice it to say, that on the recorded boast of Alva himself, he caused 18,000 inhabitants of the Low Countries to perish by the hands of the executioner, during his less than six years’ sovereignty in the Netherlands.

“The most important of these tragical scenes was now soon to be acted. The counts Egmont and Horn, having submitted to some previous interrogatories by Vargas and others, were removed from Ghent to Brussels, on the 3d of June, under a strong escort. The following day they passed through the mockery of a trial before the Council of Blood ; and on the 5th, they were both beheaded in the great square of Brussels, in the presence of Alva, who gloated on the spectacle from a balcony that commanded the execution. The same day Vanstraelen and Casambrot shared the fate of their illustrious friends, in the castle of Vilvorde, with many others, whose names only find a place in the local chronicles of the times.”

All Europe at last burst out into execration and remonstrance, and an army was raised in Germany, which William of Orange headed, but which, after some victories, was dispersed by Alva. A frightful inundation aided him ; for “no suffering could affect his inflexible sternness ; and to such excess did he carry his persecution, that Philip himself began to be discontented, and reproached him sharply in some of his despatches. The

governor replied in the same strain, and such was the effect of this correspondence, that Philip resolved to remove him."

We will not follow the history through the short term of Requesens's rule, or even through that of Don John of Austria, and of the Prince of Parma, though the latter would be well suited to our purpose. The happiest result of Philip's obstinacy was the Declaration of National Independence by the States-General, assembled at Antwerp, who, after one or two trials of other princes, at length conferred the Sovereignty on the Prince of Orange.

In the end, the independence of Holland was maintained ; but Philip conferred on Albert of Austria, and Isabella, the sovereignty of the reconciled southern provinces. Grattan gives a picture of the country at this time, which contrasts mournfully with the one given of it thirty years before.

" The reconciled provinces presented the most deplorable spectacle. The chief towns were almost depopulated. The inhabitants had in a great measure fallen victims to war, pestilence, and famine. Little inducement existed to replace by marriage the ravages caused by death, for few men wished to propagate a race which divine wrath seemed to have marked for persecution. The thousands of villages which had covered the face of the country were absolutely abandoned to the wolves, which had so rapidly increased, that they attacked not merely cattle and children, but grown-up persons. The dogs, driven abroad by hunger, had become as ferocious as other beasts of prey, and joined in large packs to hunt down brutes and men. Neither fields, nor woods, nor roads, were now to be distinguished by any visible limits. All was an entangled mass of trees, weeds, and grass. The prices of the necessaries of life were so high, that people of rank, after selling every thing to buy bread, were obliged to have recourse to open beggary in the streets of the great towns.

" From this frightful picture, and the numerous details which imagination may readily supply, we gladly turn to the contrast afforded by the northern states. Those we have just described have a feeble hold upon our sympathies ; we cannot pronounce their sufferings to be unmerited. The want of firmness or enlightenment, which preferred such an existence to the risk of entire destruction, only heightens the glory of the people whose

unyielding energy and courage gained them so proud a place among the independent nations of Europe."

The assassination of the noble William of Orange, at the instigation of Philip, forms a fitting crime with which to close this section of the subject.

But before leaving the subject of the Netherlands, we must speak of one more passage of its history, viz: that which is connected with the name of Joseph II.

In the mean time, if it did, by its own internal energies, recover somewhat from the condition in which Philip II. left it, it had suffered through its connection with Austria, all the horrors of being the battle-ground of the rival houses of Bourbon and Hapsburgh, especially during the disastrous ten years of the War of Succession, in Spain.

With Joseph II.. a new species of oppression commenced. This emperor's character has been made the subject of a great deal of disquisition. He is the first, the only monarch of his race who ever seems to have entertained in his brain, the idea of a duty owing from a monarch to the nations under his sway; if indeed it were not after all rather a notion of the free grace of benevolence, that impelled him to make a plan of benefiting the people, under him by a new organization of the large part of Europe which the centralising selfishness and rapacity of his ancestors had connected into a heterogenous whole. But it is a very different thing to have an idea of reform, whether it calls itself duty or beneficence, and to have the character of a reformer. Out of the heart are the issues of life. Even Coxe (the apologist of the House of Austria, although he admits *the facts* which make against that aim of his work and which have been so largely quoted in this volume) says, in the very chapter in which he speaks of the specific reforms of Joseph, and among many others of his abolition of useless tribunals and feudal offices, which were dilatory and oppressive, "*he yet introduced a still greater evil, by making the basis of the administration, THE ABSOLUTE WILL of the sovereign, from which there could be NO APPEAL.*"

Here Coxe strikes upon the Hapsburghs, the character *in the blood*, (or is it in the spiritual tradition of families?) Without supposing Joseph consciously insincere in his idea of reform, beneficence, or duty; yet here we see that he was incapable of the principle, no less from personal character than from the

falseness of his position. He said that his "greatest honour would be to reign over freemen,"* but the point he could not give up was precisely that of "reigning," and to *reign over freemen* is *reductio ad absurdum*. Joseph never used the word *reign* in a limited sense. It is only possible, in this work, to give one illustration of Joseph's character as a reformer and promoter of the welfare of his subjects. We shall give it in the words of Coxe himself, that no one may say it is the one-sided view of a *republican*, who is acting the part of an advocate rather than of an historian. We give the whole of Coxe's hundred and twenty-ninth chapter.

"That rich and fertile territory, usually known by the synonymous appellations of the Netherlands and the Low Countries, formed part of the vast dominions which had been attached to the Spanish monarchy. Conquered by the joint forces of the Maritime Powers, it was transferred, at the peace of Utrecht, under their guaranty, to the house of Austria, on condition that the ancient laws, customs, and constitutions should be inviolably preserved. The late emperor, Charles VI., was inaugurated on these terms. His daughter, Maria Theresa, entered into similar engagements on her accession; but during her reign some changes, with the consent, if not at the request, of the states, were introduced in the mode of representation in Brabant, and in the system of taxation. *Joseph gave the same solemn sanction to the existing constitution.*

"Perhaps there was no country on the surface of the globe so small in extent, under the government of one prince, of which the component parts differed so widely in manners, government, and laws. Each of the provinces not only formed a separate sovereignty, enjoying a peculiar constitution, but the same variation extended to the cities and districts. In most of the provinces the rights and privileges were founded on tradition or prescription; but in Brabant and Limburgh they were detailed in a charter called *La Joyeuse Entrée*, which contained fifty-nine articles, a collection of ancient usages and immunities granted by the former dukes of Brabant. The sovereign was restrained from conferring charges on any except natives, no inhabitant was to be tried out of the country, and full liberty of speech was to be allowed in the assembly of the states, with

* Coxe, Chap. xxiv.

many other privileges ; the charter was also concluded with a declaration similar to the celebrated clause in the coronation oath of Andrew II., king of Hungary, that if the sovereign should cease to observe the articles, his subjects should also cease to obey him, until the breaches in the constitution were repaired, and the immunities restored.

“The power of the clergy was almost unbounded ; the hierarchy consisted of one archbishop and seven bishops ; there were also a hundred and eight abbeys, each endowed with annual revenues from 60,000 to 300,000 florins, numerous convents, and the number of religious persons, regular and secular, of both sexes, amounted to 30,000. The clergy possessed a considerable part of the landed property, and being the first order of the states, were enabled to relieve themselves from a considerable part of the public burdens, by fixing the land-tax at a low rate, and throwing the imposts on articles of consumption.

“Their predominant influence was extended by the system of public education, which was subjected to the immediate control of the hierarchy. The university of Louvain had long been celebrated for its numerous and richly-endowed colleges, and was formerly distinguished for learning and discipline. It possessed extraordinary privileges, with the patronage of numerous benefices, both in the Netherlands and in the bishopric of Liege ; and above all, its academical honours were indispensable qualifications for the possession of every civil and ecclesiastical office. The members devoted to the papal see, maintained a blind adherence to the system of the ancient schoolmen, and proscribed all innovations adopted in other seminaries.

“In this country, and among a people so tenacious of their customs, liberties, and religion, Joseph did not merely attempt to reform abuses and lop superfluous branches, *but even laid the axe to the root of the constitution itself.* He purposed to force on the natives what he termed a simple and efficient form of government, and to establish yearly the same system of ecclesiastical polity, finance, and jurisprudence, as he had introduced into his hereditary countries. He commenced his innovations at an early period of his reign by abolishing several convents, prohibiting processions, jubilees, and confraternities, and removing statues, images, and offerings from the churches.

“But in 1786 his plans were fully developed. He reformed the system of public education, by abrogating the privileges of the university of Louvain, and instituting a new seminary for the study of theology, over which he placed foreigners as directors, independent of the control of the bishops, and at which he ordered all youths destined for the church to pursue their studies. The innovation was vehemently opposed, and in December, 1786, gave rise to a tumult among the students, which was not suppressed without a military force. The archbishop of Mechlin, who took an active part, was summoned to Vienna, and the papal nuncio, who had countenanced the opposition to the imperial decrees, was abruptly ordered to quit the Netherlands. This attempt was followed by similar changes in the civil government.

“The abolition of their venerated constitution excited universal indignation and alarm among the people of the Netherlands. The clergy and laity formed a common cause for mutual security. Brabant became the focus of opposition; the states, in the terms of their constitution, refused to grant the customary subsidies, until their grievances were redressed; they forbade the collectors of the revenue to acknowledge the authority of the new intendants, and presented a spirited remonstrance to the governors-general. They suppressed also the new seminary at Louvain, dismissed the foreign professors, invited the other states to form a general confederacy, and claimed the guaranty of foreign powers, particularly of France. Their example was followed by the other provinces. Tumults burst forth in different places, the populace assumed the national cockade in imitation of the French, and the aspect of the whole country portended an insurrection.

“On the 28th of May, 1787, Joseph received the first account of the tumults at Pereslaf, as he was preparing to cross the Dnieper. But infatuated with his plans, despising the danger, and employed in paying court to Catherine, he slighted the intelligence, and gave orders that no letters should be forwarded to him during the journey. He determined, however, to pursue rigorous measures, and in answer to strong representations in favour of lenity and caution, replied, “the flame of rebellion can only be extinguished by blood.” On his return to Pereslaf, he learnt with astonishment and agitation the progress of the insurrection; and after taking a hasty leave of

Catherine, returned to Vienna in the beginning of July. New mortifications awaited his arrival. He was thunderstruck with the intelligence that the Flemings, instead of awaiting the repeal of the obnoxious edicts, had risen in arms, and obtained concessions from the governors-general ; and that prince Kaunitz had not only approved these lenient measures, but pledged himself for the acquiescence of his sovereign.

“ Joseph highly reprobated the conduct of the governors-general, and of his minister, as feeble and pusillanimous, and expressed his inflexible resolution to enforce the execution of his plans. He ordered troops to march to the Netherlands ; summoned the governors-general and count Belgiojoso to Vienna ; and at the same time despatched an angry mandate to the contumacious states, commanding them, as a mark of obedience, to submit their complaints, and apologise for their misconduct at the foot of the throne.

“ The states did not refuse to give the required proof of obedience, but charged their deputies to express the loyalty of the nation and represent its grievances. On the 15th of August they were admitted to an audience, and their chief addressed the emperor in a speech replete with professions of loyalty, accompanied with firmness and spirit ; and, at the conclusion, they were permitted to read the list of their grievances.

“ The emperor, who had scarcely restrained his indignation during the recital, replied sternly : ‘ The great dissatisfaction which I feel from all the late proceedings in my Belgic provinces cannot be effaced by a vain parade of words : nothing but a series of actions can prove the sincerity of your professions. I have charged prince Kaunitz to communicate to you in writing, for the information of the states, certain articles, the execution of which must precede any deliberation. Your instant and entire obedience is not only necessary to restore all things to their proper order, but to put a stop to the present interruption of commerce. I give you daily proofs that the good of my subjects is the sole object of all my actions, and you must be convinced that I have no thought of overturning your constitution, as in the moment of your greatest outrages, and when you have deserved my utmost indignation, with all the power which I possess, I only reiterate to you my assurances that I will preserve your liberties.’

"The conditions announced with this parade of liberality, comprised the restoration of all innovations, the payment of the subsidies, and the revocation of all orders issued by the states contrary to the views of the sovereign. In case of an immediate compliance, the emperor promised that the ancient tribunals and administration of justice should be restored, that the intendancies should not be established, nor the abbeys deprived of their privileges. He promised also that the territorial impost of forty per cent., and the military conscription should not be introduced into the Netherlands.

"Promises so vague, accompanied by demands so contradictory, did not satisfy the Belgic states, and they announced their resolution not to comply with the preliminary articles without full security for the redress of their grievances. But while the people were expecting the march of the imperial troops, and were making preparations for resistance, a sudden change took place in the conduct of Joseph. As he could not venture to drive his subjects of the Netherlands to desperation while embarrassed with the Turkish war, he endeavoured to attain by artifice what he could not effect by force. He therefore treated the deputies with the greatest condescension, and affected a willingness to accede to most of their demands. These concessions produced the desired effect, and the objects in dispute were amicably arranged. The states announced their compliance with the wishes of their sovereign, the volunteers laid down their arms, and, in return, the march of the imperial troops was countermanded. Count Murray issued the edict which suppressed the new ordinances, and promised that conferences should be held with the states, to adjust the subjects remaining in dispute.

"These measures occasioned a temporary restoration of tranquillity. But it was soon evident that Joseph only suspended his projects to deceive his subjects. He dismissed Count Murray, who had tranquillised the minds of the people. The army in the Netherlands was silently augmented, and the command intrusted to general d'Alton, a man of undaunted and inflexible temper, united to the spirit of a rigid disciplinarian. Count Trautmansdorf was appointed minister plenipotentiary ad interim, with instructions which proved the views and insincerity of the emperor. He was ordered to consider the declaration of count Murray as extorted by fear, and consequently invalid;

to hold no conference with the states on the subjects in dispute ; to remove gradually all disaffected persons from their employments ; but above all, to effect a complete reform in the supreme council of Brabant, 'without which,' to use the words of the emperor, 'nothing could be done.' He was no less positively enjoined to commence his administration with the re-establishment of the general seminary at Louvain.

"On the arrival of Trautmandsorf at Brussels, in October, 1787, he found the people in a state of general agitation, and with suspicions naturally inspired by the prevarications of the sovereign, watching all his proceedings with a jealous eye. He therefore suspended the execution of the decree for the suppression of the university during three months, and gained great popularity by this act of indulgence. The other demands were obtained without difficulty, and the subsidies which had been refused unanimously voted, with a declaration that this compliance was a testimony of gratitude for the appointment of a minister so agreeable to the nation.

"Joseph, too ardent and arbitrary to listen to the dictates of prudence or justice, disapproved the suspension, and issued peremptory orders to establish the general seminary, whatever might be the consequence. His views were warmly supported by general d'Alton, who was eager to bring the military force into action, and boasted that he could subjugate the whole Netherlands in six weeks. Trautmandsorf, reluctantly fulfilling an order of which he deplored the fatal consequences, commanded the rector and other members of the university to submit to the plan of reform. The whole body appealing to the council of Brabant, he required the latter to enforce the imperial decree, allowed only two hours for deliberation, and threatened, in case of refusal, to employ force, and revoke the recent concessions. At the same time d'Alton drew out a body of troops, with artillery, near the house in which the council was assembled, and sent a detachment through the streets to awe the populace. The states, however, still undaunted, disdained to return an answer, and only ordered the message to be entered on their journals. The detachment which patroled the streets being insulted, fired on the populace ; a tumult ensued, in which six persons were killed and several wounded, and d'Alton poured a body of troops into the Town-house. But at this awful crisis Trautmandsorf again suspended the rising commotion by

ceasing to press his demands, and by declaring that the general had drawn out the troops without his concurrence.

“Intelligence of these proceedings being transmitted to Vienna, the emperor rewarded the officer who had ordered the troops to fire, and encouraged d’Alton to persist in coercive measures; yet, with the same duplicity as before, he held forth to the natives the offer of a general amnesty and complete restitution of his favour. The governor-general, who returned at this juncture, found the country in a state of apparent tranquillity, and the people impressed with hopes that Joseph had at length relinquished his impolitic designs. But within a few days after this public declaration, the university was again closed, the rector banished for three years, and the refractory members expelled; while a body of troops, stationed in Louvain, slaughtered many of the inhabitants, who assembled to deplore the overthrow of that university which had been their pride and support. The general seminary was re-established; the colleges of Mechlin and Antwerp, celebrated for the education of youth destined to the ecclesiastical profession, were likewise closed, and the same measures of coercion employed against the inhabitants.

“Soon after these violent proceedings, the states of the different provinces assembled to grant the ordinary subsidies, and notwithstanding the causes of dissatisfaction, all complied with the usual custom except those of Hainault and Brabant. Their refusal drew from the emperor a severe address, in which he threatened to revoke the amnesty, to prosecute all who had taken part in the late troubles, to annul their privileges, and to abrogate the Joyous Entry. The states of Brabant, alarmed by these threats, sent on the 26th of January, 1789, a petition to deprecate the anger of the sovereign, and procured the suspension of the impending punishment. Those of the Hainault, persisting in their resolution, their assembly was dissolved on the 31st by the military force, their chiefs arrested, and their constitution abolished. Confident that this severe example would intimidate the refractory states of Brabant, Joseph announced his intention to make a change in their government, which should prevent a repetition of their contumacy, and secure the regular grant of a permanent subsidy, by extending the right of representation to other towns and districts.

“In the present temper of the country such an arbitrary project excited general indignation; and the whole province became a scene of civil commotion.

“While Brabant was thus divided by internal feuds, Joseph seized the opportunity to overthrow the constitution. By his command, Trautmansdorf summoned an extraordinary meeting of the states, and required their concurrence in the proposition for increasing the third order, and establishing a permanent subsidy. The deputies, however, boldly refused their consent, exclaiming with one accord, ‘though the emperor may dissolve us, we will not violate a constitution which we have solemnly pledged ourselves to preserve.’ In consequence of this refusal, the edict was enforced, the assembly dissolved, and the Joyous Entry annulled. The deputies repaired to the hall of the council of Brabant, and protested against these proceedings; but their protests were disregarded, and on the ensuing morning three imperial edicts proclaimed the dissolution of the ancient constitution, the new arrangement for the administration of justice, and various alterations in the imposition and collection of the taxes.

“Joseph fondly considered this event as the termination of the struggle; and d’Alton reechoed his sentiments when he said, ‘the 18th of June is a happy epoch for the house of Austria; for on that day, the victory of Kolin saved the monarchy, and the emperor became master of the Netherlands.’ But neither the infatuated monarch nor his sanguine general were acquainted with the resolution and sentiments of a free nation. Although the presence of the military prevented an immediate tumult, this apparent tranquillity was the calm which precedes the storm. The licentious spirit, which at this time agitated France, spread like an electric shock among a people who were provoked by repeated insults and oppressions; the patriots daily augmenting in numbers exulted in the hope of being assisted by their neighbours, and of forming a similar constitution on the ruins of the Austrian government. Vengeance and retaliation were denounced against the royalists; the walls, churches, and houses were covered with placards, calling on the people to imitate the example set by the citizens of Paris.

“Trautmansdorf, who had before averted the danger by prudence and lenity, was now anxious to meet it with firmness. Conscious that the imperial troops, who scarcely amounted to

20,000, were too few to awe a whole nation, he earnestly requested an accession of force. His apprehensions were ridiculed by d'Alton, who boasted that after sending a battalion of each regiment to the army in Hungary, he should still be able to maintain internal tranquillity; and Joseph reluctantly despatched only a single regiment, 'not because he deemed it necessary, but to encourage a timid government.' The forebodings of the minister were too soon realised. Scarcely a month elapsed after the dissolution of the ancient constitution, before the people tumultuously rose, in various districts released the arrested persons, attacked the military, and plundered the houses of the magistrates. In these commotions many lives were lost at Tirlemont, Louvain, Antwerp, and Mons, before tranquillity could be restored, and at Diest, the patriots led on by the monks, expelled the imperial troops and the magistrates. Brussels being likewise the scene of a momentary effervescence, the minister proposed to disarm the citizens; but this measure was rejected by d'Alton, who, presuming on the force of military discipline, contemptuously exclaimed, 'If they want arms, I will supply them.'

"At this period many young men of Brussels, who had uttered seditious speeches, were sent without trial to serve in the army of Hungary; and in the agitated state of the public mind, this arbitrary act spread through the nation indignant and sullen despondency. Emigrations took place from all quarters; the fugitives repairing to the frontiers of Holland and Liege, joined those who had quitted their country in the preceding troubles, and formed a numerous body, ready to act offensively against the government. They found an able chief in Van-der-Noot, a factious advocate of Brussels, who had taken an active part during the troubles, and at whose instigation the third estate had refused to grant the annual subsidy. Being arrested and condemned for treason, he had in 1787 escaped into England. After ineffectually endeavouring to obtain for his countrymen the protection and assistance of the British cabinet, he repaired to Berlin. Receiving from the king of Prussia only dubious promises, he went to Holland, where he was permitted to reside under a feigned name, by the connivance of the Dutch government, which on this occasion imitated the conduct of Joseph towards the exiles in the late revolution. He returned in 1789 to Breda, whither he drew

the archbishop of Mechlin, the abbot of Tongaloo, Crumpiper, the chancellor of Brabant, many of the nobility of Brussels, almost all the members from the states, and Van Eupen, canon of Antwerp. By their efforts, the emigrants were disciplined, distributed in different parts of the neighbouring country, arms and ammunition secured, and a force amounting to 10,000 men organised and appointed. A committee was established at Breda for the regulation of their proceedings, and their views seconded by another secret committee at Brussels.

“In the midst of this ferment, the emperor strangely blending conciliation and severity, published a decree reestablishing the university of Louvain, in all its rights and privileges. This ridiculous versatility excited contempt instead of giving satisfaction, and produced no effect in allaying internal disaffection, or checking the efforts of the party in Holland. A regular plan of hostilities was digested by the chiefs of the insurgents, and Van-der-Mersch, an officer who had signalised himself in the imperial service during the seven years’ war, was appointed commander. Van-der-Noot assumed the title of plenipotentiary agent of the people of Brabant, and a manifesto, under his signature, was published ‘in the name of the clergy and third estate of Brabant, in union with many of the nobility, renouncing their allegiance and declaring that they no longer considered Joseph as their sovereign.’ This manifesto, as a declaration of war, was sent to the government, and followed by the march of the patriot army into Brabant.

“With a view to counteract its effects, the government of Brussels ordered it to be burnt by the common executioner, and published a long vindication of the emperor; urging that although he had abrogated the Joyous Entry, yet he had confirmed the essential principles of the constitution, the security of persons and property. To awe the disaffected within the walls, many persons of the first rank were arrested on a charge of conspiracy, the gates were shut, palisadoes planted on the fortifications, the citizens disarmed, and active preparations made for defence.

“Meanwhile hostilities commenced. A party of patriots, marching from the neighbourhood of Breda, surprised, on the 25th of October, the forts of Lillo and Liefgenshoek, on the Scheld, made the scanty garrison prisoners, and conveyed the guardship to Bergen-op-Zoom. Another body of 3000

men, under the command of Van-der-Mersch, penetrated to Turnhout, and though many were armed only with bludgeons, pitchforks, and staves, and without cannon, they repulsed the imperial general Schroeder, who attacked them with 1500 men. This unexpected victory, proclaimed a miracle by the monks, increased the spirit and numbers of the insurgents, while it disheartened the royalists. But on the approach of general d'Arberg with 7000 men, the patriots retired within the Dutch territories, and concealing their arms, as usual, dispersed themselves in Dutch Brabant and the neighbouring districts of Liege, waiting for a more favourable opportunity to renew their incursions.

“While the imperial general remained at Hogstraten, the insurgents made a new and more effectual attempt on the side of Flanders. A body despatched by Van-der-Mersch approached Ghent, seized two of the gates, and forcing their way into the town, were joined by the burghers with cannon and ammunition; the garrison of 1200 men was overpowered by numbers, driven across the Scheld, and blockaded in the barracks of the fort of St. Pierre. D'Arberg with 3000 men hastened to the scene of action, and occupied the citadel; but he was unable to stem the torrent of revolt. Bruges and Courtray declared for the rebels; new succours poured into Ghent; the fort of St. Pierre was stormed, the troops in the barracks made prisoners, and d'Arberg himself forced to retire in the night to Brussels. All Flanders was instantly emancipated; the states assembling at Ghent, in November, 1789, published a declaration of independence, and invited the other provinces to form a general alliance. Terror and despondency spread to the seat of government, the governors-general quitted Brussels; d'Alton and Trautmansdorf, whose disputes were increased by the impending dangers, acted without concert; d'Alton concentrated his troops to make a last effort for the preservation of the capital, Trautmansdorf liberated the arrested persons, restored arms to the citizens, and issued no less than twenty-two declarations in the name of the emperor, hoping to conciliate the people by suppressing the seminary at Antwerp, reestablishing the Joyous Entry, and declaring an amnesty.

“Of this confusion and alarm the patriot chiefs availed themselves with equal vigour, skill, and promptitude. Van-

der-Mersch, assembling a body of insurgents, made a new irruption into Brabant, seized Diest, and advancing to Tirlemont, threatened Louvain. D'Alton instantly marched against the rebels, but pressed by the insurgents of Flanders, and unwilling to risk a battle which, if unfortunate, would have left him no hope of retreat, he suddenly concluded, with the acquiescence of Trautmansdorf, an armistice for ten days, which was to be provisionally extended, with the consent of the states of Brabant. In this interval he hoped to turn his forces against Flanders, but every moment of delay was fatal to the imperial cause; the patriots anticipated his designs, seduced whole troops of his soldiers, augmented their party by new accessions of force, and organised an insurrection at Brussels, which terminated the struggle. On the 8th of December the women and children endeavored to demolish the intrenchments, and tore up the palisadoes. The people assumed a national cockade; the streets resounded with the cries of "Long live the patriots! Long live Van-der-Noot!" The soldiers began to desert, and two companies of the regiment of Murray at once joined the patriots.

"On the 11th, an officer imprudently attempting to snatch a cockade from the hat of a burgher, a tumult ensued, and the inhabitants flew to arms. The imperial troops, separated and discouraged, were attacked by different bands of the populace, assisted by the deserters, and, after a conflict which continued the greater part of the night, were driven into the upper town. D'Alton, fallen from his former presumption, dreading the approach of Van-der-Mersch on one side, and the Flemish army on the other, doubtful of his troops, who were reduced to 5000 men, surrounded by secret and declared enemies, was happy to secure his retreat by a capitulation. He quitted Brussels on the evening of the 12th, leaving the cannon, military chests and stores in the hands of the insurgents, and took the route to Luxemburgh, pillaging, plundering, and wasting the country as he passed. The example of the capital was followed by the other towns; the imperial troops successively retired from Antwerp, Louvain, and Mechlin into Luxemburgh, and the governor-general Bender, assuming the command, prepared to defend that duchy, which alone continued faithful to the house of Austria.

"The news of the revolution affected Joseph to an alarming degree, and made a deep impression on his mind, already weakened by bodily and mental infirmities. He burst into tears, complaining bitterly that he had been deceived by the intelligence from Brussels; he acknowledged his total inability to devise measures for the recovery of those valuable dominions, and demanded the advice of Kaunitz, whom he had yet scarcely deigned to consult on these momentous events. By his suggestions he consented to adopt conciliatory measures, and count Philip Cobenzl, who was supposed to possess great influence in the Netherlands, was despatched to Brussels to tranquillise the people, by revoking the late edicts, and restoring their privileges. These measures were, however, adopted too late. When Cobenzl reached the frontier, all the provinces, except Luxembourg, were in the possession of the insurgents, the congress was convoked to form a new constitution, and his overtures were rejected with disdain.

"In this moment of distress Joseph found no resource. He in vain appealed to the empire; he in vain obtained a circular letter from the pope to the prelates of the Netherlands recommending them to return to obedience. Embarrassed by the Turkish war, deriving no assistance from the courts of Versailles and Petersburgh, his sole allies on the Continent, he was reduced to the alternative of courting the interposition of Prussia, his inveterate enemy, England, whom he had betrayed and insulted, and Holland, whom he had despised and humbled. His haughty spirit was broken by calamity and disease; he grasped even at the shadow of a hope, and was eager to embrace any measure, however degrading, for the recovery of the Netherlands, even though he should reduce them again to that dependence on the Maritime Powers from which it had been his boast to emancipate them. He hoped to conciliate Prussia by cessions on the side of Poland; he trusted that England would gladly tender her assistance to obtain the renewal of the Barrier Treaty; he relied on the jealousy which the independence of the Netherlands would excite in Holland; he flattered himself that the chiefs of the different provinces would return to their allegiance, and accept a free constitution under the guaranty of the triple alliance. But he was again deceived. England refused to interfere in a cause which was opposed by her great continental ally; Holland beheld his distress with in-

difference, if not with satisfaction; Frederic William, who was maturing a grand system for the reduction of Austria, fomented the discontents in the Netherlands, and exerted all his efforts to inflame that hostile spirit which pervaded every part of the hereditary dominions, and was rising against Joseph in the different courts of Europe."

We have preferred taking this account from Coxe, not only because we wish to strengthen our argument for the justice of the title of our book by giving, whenever it is possible, the testimony of the conservative historian, who cannot be suspected of colouring too darkly the acts of what he considers the legitimate government; but because we think Mr. Grattan has not done justice to the Netherlanders in his account of the same transactions. In his sympathy with the special reforms of Joseph, (his toleration acts, and abolition of old evils,) he overlooks the fact that all along he was breaking the highest of all laws, and that which entered in to the very fountains of the nation's life, by setting aside the *constitutional rights* which were born with their birth, and which can never be arbitrarily abolished by any foreign power without fatal effects. Constitutional reform must be always a Phoenix death-birth. All Joseph's political philosophy was a mere maggot of his brain, fevered into being by the exciting atmosphere of the eighteenth century, an influence wholly external; it had no part or lot with that eternal progressive force, which develops itself through the heart of men, and acts because it must, in spite of all individual fancies, being rarely understood in full by the very individuals by whom it manifests itself the most strongly. George Washington indeed seems to have acted in sight of his principle in his majestic self-abnegations, although we are unable to pronounce with entire certainty on those secrets of the individual heart and soul, which, in his case, were covered with such a veil of natural and habitual reserve, as no friend was intimate enough to dare lift up.- Was it that there was too much of the future there, to be appreciable in those days, by eyes profane?

It may be that as the race makes progress, there is a growing recognition between those irresistible impulses of humanity, which are deeper than all selfish emotions or volitions, and those higher ideas, which correspond to them in the intellectual spheres; and hence a consciousness, which is not weakening

but strengthening, (inasmuch as it repudiates all personalities,) may show itself in the great men of the present and future. When Washington, risking everything upon a certain battle, and being asked what was to be done if it was lost, calmly replied, 'it will then be necessary to retreat (he meant the people and not merely the army) behind the Alleghanies, and defend ourselves there ;' there was in his heart, if not in his head, the truth, that there is nothing impossible to him that wills the right. Kossuth, sixty years later, carries this grand will into the intellectual sphere, and explains the coincidence of absolute justice, not only with this instinct of the brave, but with interest—well understood, yet without lowering the first to the limitations of the last, and thereby losing the power to remove mountains, which comes only from the principle which is the evidence of things unseen.

Reform is a great thing. It must work from within outward. If it commences on the outside, while the principle that made all the abuses is unchanged, as in the case of Joseph II., the bad is made worse, and the futile agent is the first victim of the inevitable reaction. But there is some reason to believe that the day of reform is dawning,—when the old world—and the old world's law—is brought face to face with the new world, almost unconscious of any principle but self-help, and the thorn-crowned martyr of the one, who represents the outraged individuality and rights of nations, explains the meaning of the hour to the other, by the words : 'Thou hast as much religion as humanity—and no more,' adding, with the supreme grace of self-abnegation, 'the works which I do, and the words that I speak, are not mine, but His who sent me.' It is indeed an era in the political world, when not only the experienced victim of the old system, but the nonchalant, unsentimental, self-asserting politician of the new, unite in *seeing*, to say nothing of declaring that nations have the same interest in international law, which individuals have in the laws of their country.

When the individuality of nations, and the law that at once individualizes and unites them, is promulgated in the light of reason,* in which flourish all the 'humanities' of science, art, virtue, and love, as well as in the dark depths of instinctive

* Coleridge has well defined Christianity to be "the perfection of Reason."

feeling, whose issues are war, and all terrible retributions—there is some ground for hope that the nations may

“keep the heights
Which they are competent to gain.”

We will here observe that it is plain from the foregoing and the subsequent pages, that the Anglo-Saxon race is not the only one whose life has blossomed out into constitutional liberty. Other races have put forth the same forms of life quite as vigorously, and as broadly, and if we are to escape the same disastrous chances as have for three hundred years sunk them into a *life-in-death*, it will be from no inherent superiority in the germs of ours, but because the age of the world is come which corresponds to that period of the life of man, when thought meets feeling, and, recognising each other, instinct may become for evermore one with wisdom.

Is it not possible that this national integrity and international justice and love, is the ultimate attainment of humanity on earth; the fullest realisation in this sphere of the prophetic vision, and the poet's dream; while the individual men which compose the nations, are ever to exhibit that personal imperfection which is but the necessary correlative of a sublimer destiny than may be within the scope of the finite mind to comprehend? Could this be established, a vast deal of the finest intellect and character, whose energies are now dissipated in visionary theories of personal perfection, would be concentrated to organise a perfect political system, which can only be just for each when it is for all; and without which in each nation, no personal integrity can be unfolded to become the subject of culture.

In considering the crimes of the house of Austria, we must not forget Poland, although here the guilt is shared by the Brandenburgs and Romanoffs.

Ruthière's, “Anarchie de Pologne” gives, in an entertaining form, a tolerably fair picture of its character, and the working of what an absolutist calls its *no-government*. That a civilized country, he says, should go on for centuries, improving in all human culture, *without a government*, shows the extraordinary goodness of the people. It were well of this pleasant book, which contains also the most authentic account of Catherine II.'s accession to the Russian throne, were translated into English. But a grave work, and the highest authority respecting

Poland, is Lelewel's history, also yet untranslated. We are sorry that our limits allow us to give but a few observations to correct some current errors. It has been the policy of the European governments around Poland, to misrepresent, as well as to interfere with, the operations of its constitution. This necessarily arose from a principle of self-protection ; nothing was so disastrous for them, as the peace, prosperity, and progress of a republican country in their midst. All the motives which impelled to the League of Cambray, would operate to this end respecting Poland, whose partition was the supreme act of the diplomacy which, as Sismondi said, began in Europe in 1508.

Poland was never a feudal country. The nobles and peasants are of the same race ; and service in war, or a university education availed to give nobility to the child of the meanest peasant. The veto power, by the abuse of which the country was made weak, when it needed to be strongest against foreign influence, was only developed into disastrous action through foreign influence, brought to bear upon the Diet ; because, as has been already intimated, it was a life and death interest of the surrounding despotisms to prevent the national progress and purification of a government in their midst, essentially republican, although its chief magistrate was named king. The same veto power existed in the Arragonese constitution, and never seemed to have had any irregular action. Of course, this, or almost any other safety-valve of liberty, may be used for the worst end, as soon as a nation is vitiated by bad faith within, whether of indigenous growth, or of foreign planting. In the case of Poland, it is obvious, from Ruthière, that it was of foreign planting.

But our object is not political disquisition, but history. When the Poles first began to elect kings from foreign nations, it was partly in order that the equality of their own families should be preserved, and some should have the prestige of sovereignty connected with them. At the first election, after the death of the last Jagellon, Maximilian II. endeavoured to obtain the crown for his son Ernest, but Henry of Anjou was chosen. After the latter abandoned Poland, to succeed his brother in France, Maximilian made new efforts for Ernest, and was himself chosen by one party. This was no great gratification to him, for the limited monarchy of Poland had few charms for

him. While he hesitated about the *pacta conventa*, his more active opponent, Stephen Batory, hastened into Poland, and signed this capitulation, which so greatly increased his party that he was forcibly chosen, although Maximilian did at length accede to the *pacta conventa*, and, secure of the Czar, appealed to the empire, and endeavoured to excite the kings of Denmark and Sweden against his rival, "whom he stigmatized," says Coxe, "as a vassal of the Turks." But death interrupted his operations on the 12th of October, 1576, and Stephen Batory was elected.

The next Polish election, in which the house of Austria interfered, was in the beginning of the eighteenth century, when the Emperor, Charles VI., with the aid of the Czarina, placed Augustus II. upon the throne, on condition of his giving his sanction to the Pragmatic Sanction. By this intrigue, the choice of the nation, Stanislaus Leczynski, was set aside. This was in 1720.

In 1763, on the death of Augustus II., Maria Theresa encouraged his son Xavier to become a candidate for the crown of Poland, in opposition to Stanislaus Poniatowski and other Polish noblemen. Through the powerful influence of Catherine II., Stanislaus was certain of success. But Maria Theresa, seeing that by this a preponderance was given to Russian influence in Poland, published a manifesto, declaring that the Poles had the right of appointing a sovereign by a free and voluntary election, and, with the aid of France, prepared to second the claims of the Saxon house. Catherine, on the other hand, gained the king of Prussia, and the Porte, and they jointly issued a proclamation exhorting, "or rather," says Coxe, "commanding the Poles to elect none but a Piast for their king." A Russian army enforced this, and Stanislaus Augustus was elected. Maria Theresa, ill-seconded by France, concluded to push the matter no further.

The wrongs of Poland are due not wholly to the House of Austria. Prussia and Russia were indeed the principal aggressors. Frederic the Great undoubtedly first projected the partition, but his first step was to gain Austria, because he was aware that Russia was so sure of the whole of the prey, she would oppose dismemberment. The emperor Joseph I. went to Neiss, to negotiate with him upon the subject. Two years after, a second interview took place, and the map of Poland

was laid out before them, when the limits of the respective portions were adjusted, the largest share being assigned to Russia, in order to secure her concurrence. The Austrian and Prussian troops entered Poland on the pretence of preventing the plague, and Maria Theresa first presented her vague claims on certain Polish districts, on the specious pretext of protecting them from Russia and Prussia. The Austrian troops first occupied sixteen towns of the county of Zips; and upon this, Frederic proposed to Catherine the dismemberment; and the respective portions were specified at St. Petersburgh, in February, 1772. "Maria Theresa felt or *affected to feel*," says Coxe, "great scruples of conscience, in participating in the disgrace of this infamous transaction; but she was not the less exorbitant in her demands, and extended her claims almost to the half of Poland." She afterwards made a merit of yielding something, but retained Red Russia, Galicia, and parts of the palatinates of Cracow, Sandomir, Lublen, Bezk, Volhynia, and Podolia, a fertile and extensive country, with a population of ten millions and a half, and the valuable salt mines of Wieliczka, whose revenue to the republic was 90,000 pounds a year. This territory was consolidated and annexed to the Austrian dominions under the ancient appellation of the kingdoms of Galicia and Lodomeria.

The plunder of these countries by Maria Theresa's troops was immense. Even Catherine of Russia reproached the Court of Vienna for the exactions of their troops, and extorted from the emperor a humiliating disavowal of their conduct. When we read of the wagon-loads of gold, among which were the spoils of churches, candelabras of the size of a grown man, of solid gold, carried into Austria, we are led to ask, whence came this prodigious wealth? and this question leads us to remember that from time immemorial there had been a land trade extending into Persia and other rich Asiatic territories, and that the constitutional law, prohibiting Poles from engaging on either side in a sectarian war, had made the fertile plains of Poland the granary of Europe, during the terrible religious wars that raged over the West of Europe in the sixteenth and seventeenth centuries. Poland, too, from its constitutional laws of toleration, was the asylum for the persecuted merchants and mechanics of the Jewish and Protestant sects, driven for many centuries from other more bigoted countries.

In giving an account of the state of the several parts of Poland, after the partition, Lelevel, having enumerated oppressions common to all of them, makes the following remarks :

“ There was, however, this difference between the Austrian government and the Prussian, that the latter, more fond of peace, more economical, favoured the propagation of knowledge, augmented the number of primary schools, carried instruction to the poorest, and tolerated the manifestations of national sentiments, that the Poles did not know how to repress. Without speaking of liberty, the Prussian government respected individual liberty and property. Justice was equally administered to nobles and peasants, without distinction of class; both were subjected to military service. No exception was made except in favour of the Jews. At Warsaw they were permitted to have a national theatre; the polytechnic society, founded by some patriots for the end of conserving the Polish nationality, was authorised by the king of Prussia. It was not so in Galicia. There the emperor proclaimed the liberty of the peasants, forgetting or ignoring that long before the fall of Poland, the quatriennial or constituent diet had guaranteed it to them. But he erected it into a principle that everything belonged to the emperor, property and persons, and that he could dispose of them according to his good pleasure, as of things that were his. Occupied by continual wars with France, the emperor exhausted his estates, and especially Galicia, by exactions. Whoever could bear arms, whether Gipsies, Jews, or Christians, were enrolled, and forced to serve as soldiers, under German counts and barons. His enormous imposts not only took away their money, but forced them to give up their landed property. To repair the immense losses of his campaigns, he had recourse to paper money of which he reduced the value afterwards, or suppressed it altogether; and he circulated copper money qualified with silver, and forced it to be received as silver. In short, it was an odious spoliation and a degrading slavery. In order to attach the magistrates and principal inhabitants to himself, he sold to them titles of counts and barons; as the price of this imperial complaisance they were obliged to pay very dear.

“ There were many who did not blush to buy these honours, and to disgrace their posterity with them, forgetting that the ancient laws of the republic deprived of the rights of citizen-

ship, and declared infamous those who accepted titles from foreign powers.

“That the dismemberment of Poland, by Austria, Prussia, and Russia, did not destroy it, Lelevel’s faithful history proves. Not only Kosciusko’s struggles, and the revolution of 1831, suppressed mainly through the perfidy of Louis Philippe, acting in combination with the generous confidence of Skrzynecki, but the previous educational efforts of Czartoryski at the university of Wilna, and the energy with which the Poles repulsed the archduke Ferdinand from Warsaw in 1809; and generally fought for Napoleon, in the vain confidence that he would restore their republic. It may be that had Napoleon justified their long cherished hopes, and kept the faith he promised by the agents whom he sent to Warsaw to negotiate for assistance, previous to his Russian campaign, the result of that extraordinary movement would have been far different, and when he fell back into Lithuania, he would have found himself sustained; but his cold-blooded evasions, when he had passed through Warsaw, after it had risked Alexander’s fury for his sake, had finally convinced the Poles that they should ‘put no trust in princes;’ and they left him to the elements which were as humane as himself. The republicanism which is to be established by autocracy is as futile as the reforms which come from the same quarter; and Napoleon Bonaparte’s history is as clear a less on upon the former pretence, as Joseph II.’s was upon the latter.”

We must leave, however, the history of Poland, so illustrative of our subject, in order to come to the history of Hungary. There is no complete work on this subject extant in the English language. In the Spring of 1850, there was republished in Boston, by Ticknor, Fields and Co., from the London edition, a pamphlet by J. Toulmin Smith, called “Parallels of the Constitutional History of England and Hungary,” which should be studied by those persons who fancy and assert that Anglo-Saxons are the only people to whom constitutional liberty is natural. In the May of the same year, there appeared also in the Christian Examiner of Boston, an article upon Hungary, referring to a recent publication of A. de Gerando, *De l’Esprit public en Hongrie depuis la Revolution Française*, and intended to rectify the false statements made in an article in the N. A. Review of January, 1850, where the Hungarian move-

ment of 1848—9, as well as all the past history of Hungary, were vilified. This article in the *Examiner*, which exhibited a wonderful familiarity with the Hungarian language and literature, as well as a profound and accurate knowledge of the history of modern Europe in general, and an extraordinary acquaintance with the periodical literature of the day, and the influences under which each individual contributor to it had written, when the subject matter touched the politics of Hungary, contains a masterly treatment of the misrepresentations which despotism makes of the history of freedom; and this part of the subject was pursued still farther in two successive articles in the same periodical, one published in November, 1850, and the other in March, 1851, from which also may be gathered an authentic account of the actual transactions in Hungary during 1848—9. All three articles, together with those in the *N. A. Review* which called them forth, would make a valuable volume, if for nothing else, to show the difference between writing history as a gossip, and writing it as a critic.

We confine ourselves now to extracting a portion of the first article, which carries the history up to the time that the war between Hungary and Austria began. It was from the same article, that Mr. Secretary Webster quoted the Hungarian statistics with which he illustrated the speech he made at the congressional dinner given at Washington in honour of Kossuth, January, 1852.

“The Hungarian nation has been distinguished, from its first appearance in history, for uniting to a passionate love of liberty a scrupulous reverence for law. The Magyars did not enter the plains of Dacia an undisciplined rabble. From the first, they possessed a fixed form of government, and were distinguished for their subordination to their leaders and their laws. To these habits of discipline in which the Magyars were trained,* to their love of order, and regard for law, it is to be ascribed, that they did not pass away, like the common hordes of barbarian adventurers, but established a permanent kingdom in the country they invaded. To these qualities, not less than to their courage, is to be ascribed their successful maintenance

* The accounts given, by their own writers, of the ancient Magyars, recall forcibly the description given by Sallust of the manners of the Romans in the first years of the Republic.

of their constitutional rights against all the attacks of a power before which the liberties of so many other nations have fallen.

“The ancient institutions of the Magyars were eminently democratic. Their chief ruler was elected by the votes of the people. For the first century after their establishment in the country, he received only the title of *Vezér*, or leader. In the year 1000, they bestowed the title of king on Stephen, of the family of Arpad, the leader under whose guidance they had entered Pannonia. The power of the king was, however, strictly limited. The consent of the people was necessary to give efficacy to every royal act. The excellent prince who first filled the throne of Hungary had no disposition to infringe the liberties of the people. On the contrary, he endeavoured to guard them against the encroachments of future sovereigns. He framed a code of laws, founded on the ancient institutions of the Magyars, which have ever since been regarded as of the highest authority. These statutes were drawn up for the guidance of his son Emeric, whom he educated as his successor in the kingdom. The enlightened and humane spirit in which these decrees are composed gives a very high idea of the civilization and political advancement of Hungary at this period. We find in them an express recognition of the principle of universal equality:—“*Omnes homines unius sunt conditionis.*”* It is in the following terms that he prescribed the duty of a king towards his subjects:—

“‘Let them be to thee, my son, as brothers and fathers; reduce none of them to servitude, neither call them thy servants. Let them fight for thee, not serve thee. Govern them without violence and without pride, peacefully, humbly, humanely. Remembering that nothing elevates but humility, that nothing abases but pride and an evil will.

“‘My son, I pray thee, I command thee, to show thyself propitious, not only to thy kindred, not only to princes, to leaders, to the rich, not only to thy country people, but likewise to strangers, and to all that come unto thee. Be patient with all, not only with the powerful, but with those lacking power. Bear ever in thy mind this precept of the Lord:—‘I will have mercy and not sacrifice.’”†

* Sancti Stephani Regis Decretum i. cap. iv.

† Sanct. Stephan. Decret. i. cap. x.

"He recognizes the right of the people to depose an unworthy prince:—

"If thou art mild and just, then shalt thou be called a king, and the son of a king; but if thou art proud and violent, they will deliver thy kingdom to another." *

"This right was exercised in the reign of his immediate successor. Emeric, the son of Stephen, died before his father. The people elected, after the death of Stephen, chiefly through the influence of his widow, her brother, Peter, a German prince. They had reason to repent their choice of a foreigner, who had no comprehension of the nature of free institutions. He was deposed in the third year of his reign. The grounds of his expulsion were, that he had banished and put to death many, without observing the due forms of law; that he had *bestowed important offices in the kingdom upon foreigners*; that he had *prevented the states from holding their diet and their accustomed assemblies*. After this experience of foreign rule, the Hungarians returned to the House of Arpad, and chose their kings from this family, until its extinction, in the person of Andrew III., in 1301. The princes of this dynasty, with few exceptions, were just and patriotic kings, who understood the origin and true objects of government, and held their power for the benefit of the people, not for their own selfish aggrandizement. There are traits recorded of many of them, which prove them to have been the worthy successors of St. Stephen. 'The republic is not mine,' said Gèza II., 'it is I who belong to the republic. God has raised me to the throne, in order that I may maintain the laws.' In 1222, Andrew II. issued the celebrated code of statutes known by the name of the 'Golden Bull,' by which the decrees of St. Stephen were confirmed, and some new laws added to them, designed to secure yet further the liberties of the people. The Golden Bull has been termed a charter of aristocratic privileges. It was so, in the same sense that the great charter of English liberties may be called so. The Golden Bull corresponds very closely to the Magna Charta of King John, both in its provisions, and as regards the class of persons whose liberties it was designed to protect. The privileges of Magna Charta were expressly restricted to *freemen*. The provisions of the Golden Bull were,

* *Respublica et Status Regni Hungariæ.*

in like manner, considered as applicable only to the class of *nobles*, as those possessed of the rights of citizenship were called in Hungary. At the period when these edicts were promulgated, the rights of the lowest class of the people were very little considered in any part of Europe. But the recognition of the principles of just government in the laws of a country is of infinite value, however the circumstances of the time may allow only of their partial application.

“ We will here transcribe some of the most important of the ancient laws which, in Hungary, guarded the liberties of the subject from the encroachments of the prince. These laws have never been repealed, but repeatedly confirmed. It is to these, the fundamental laws of the kingdom of Hungary,—to whose observance and maintenance the kings of Hungary are bound by their coronation-oath,—that the Hungarians have constantly appealed in their long struggle against royal usurpation ; and it is by these that the cause between them and their sovereign is to be judged.

“ By the constitution of Hungary, the power of making laws belongs to the king and the people conjointly :—

“ ‘ The king, having convened the people, shall ask them whether such or such laws are pleasing to them or not. If the people answer, *Yes*, these decrees shall pass into laws. But it will most commonly happen, that the people (*populus*) will themselves decide unanimously on many things which they think conducive to the public welfare. If the prince shall accept these decrees, they shall, in like manner, have the force of law.

“ ‘ It is to be known, in the first place, that the laws bind the prince who has made them, at the request of the people ; according to the maxim, ‘ Suffer the law which thou hast made thyself.’

“ ‘ The king is bound to answer, in the presence of the Lord Palatine of this kingdom, to all those who have any complaint to make, or any cause to plead against him.

“ ‘ It is decreed that the king shall observe the peace, and cause it to be observed ; *neither shall he make war, nor introduce any foreign troops into Hungary, and the parts which are annexed to it, without the knowledge and consent of the states of the kingdom.*’

“ The king was not allowed, even under the most urgent circumstances, to raise subsidies or contributions without the

consent of the diet. It was even provided, that if any particular county should, by its own motion, and without the consent of the whole kingdom, offer the king any subsidy or contribution, the nobles of that county, being by this act convicted of treason and perjury, should lose the rights and privileges of the nobility, and be denied all intercourse with the other counties. It was likewise interdicted to the king, to employ foreigners in the offices of the state, or to give them the command of garrisons in Hungary.

“No Hungarian could be tried out of the kingdom, even if the king had with him the ordinary judges of the kingdom. Nor could any one be condemned without being cited and convicted according to the forms of law.

“Our readers may judge, by these provisions of the Hungarian constitution, whether it was indeed a mere heap of feudal rubbish, or whether it is worthy of a place beside the old constitution of England, which, with all its imperfections, we revere as the source from which our wider liberties have sprung.

“If Hungary had continued under the government of upright and wise kings, it would, doubtless, at the present day, have been one of the most powerful states in Europe,—powerful, not only by extent and wealth, but by the character of the people whose love of freedom, and generosity united, would have developed a very high order of civilization. All that was contrary to justice and sound policy in their institutions would, under a government disposed to further their efforts for improvement, long since have been reformed, and they would have kept pace with, if they had not surpassed, the most enlightened nations of Europe in social and political progress. But, early in the sixteenth century, they passed under the sway of a dynasty, the most selfish and unprincipled that ever controlled the destinies of a nation. This dynasty has for three hundred years pursued one undeviating system of policy,—a system of perfidy and cruelty, transmitted, with the sceptre, from father to son. Never have the Austrian kings of Hungary given a thought to the prosperity and advancement of the nation confided to their charge. Their only aim has been to reduce it to absolute subjection, and to obliterate every trace of its ancient liberties. When foreign wars have threatened the safety of the empire, the Austrian government has been lavish of concessions and promises, to be retracted and forgotten the moment

the return of peace left the king of Hungary at leisure to turn his forces against the liberties of his own subjects. The Hungarians, on their part, have displayed towards their perfidious rulers all the generosity and loyalty that could have been due to the most patriotic princes. A hundred times deceived, they have again trusted, again to become victims of new perfidy. Through a course of three centuries, the Hungarians have been alternately pouring out their blood and treasure in wars, whose honour and profit were not for them, and, in the intervals of outward tranquillity, maintaining a struggle for national existence with their own king. Thus the season of peace was for them the period of greatest danger; the prosperity of the prince was the misfortune of the people.

“Ferdinand of Austria was invested with the sacred crown of St. Stephen on the 1st of November, 1527. He took the oath of allegiance to the constitution of Hungary, and voluntarily added words of assurance to the assembled people, of his love for the Hungarian nation, and his respect for the laws. He did not owe his election to the throne of Hungary to the preference of the nation, but to the cruel circumstances in which it found itself placed. The designs of the Archdukes of Austria on this kingdom had long been manifest, and had, hitherto, been effectually repelled. But after the death of Louis II., in the fatal battle of Mohács, it was judged impracticable to maintain, in addition to the war in which they were already engaged with the Turks, a contest with the Austrian pretender to the crown. It was decided to convert one of their enemies into an ally, by voluntarily accepting him as their king. This measure was effected chiefly through the instrumentality of some powerful nobles, and did not receive the approbation of the great body of the nation. None of the desired results were obtained by it. The German troops pillaged the country more mercilessly than the Turks had done, and extended their ravages through parts of the kingdom where these could never have penetrated. Nor did the Hungarians find, in the Austrian alliance, that protection against their Ottoman enemies which they had promised themselves. It was no part of the Austrian policy to succour Hungary; its aim was rather to weaken and impoverish it, by whatever means. The victories which the emperors of Germany gained over the Turks, by Hungarian money and arms, brought no advantage to the Hungarian na-

tion. The Turks were allowed to make constant predatory incursions into Hungary, in time of supposed peace. All representations to the king on this subject were unheeded. He would neither remonstrate with the Sultan on these infractions of the treaties, nor suffer the Hungarians themselves to enter into any composition with the Turks. Thus they maintained, alone, a constant border warfare, while, at the same time, they were forced to support large bodies of foreign troops, more cruel and more destructive than the Turks themselves. To such destitution were the common people reduced, that parents even sold their children to the infidels to save them from starvation. The contributions in money, extorted by the Austrian government in one year, exceeded the amount of the tribute which had been exacted by the Turks in ten. Such was the condition of Hungary for the space of nearly two hundred years.*

"The Archdukes of Austria were not content to wear the crown of Hungary by the election of the people. It was their aim, from the first, to make it the absolute property of their house. Ferdinand I. had already declared the crown hereditary, but he did not succeed in having this claim allowed by the nation. In order to secure the succession to his son, he caused him to be crowned in his own lifetime. His successors for one hundred and fifty years were forced to take the same precaution. In every case the form of election by the people was observed, and the prince was required to take the coronation oath which bound him to maintain the Hungarian constitution. Thus the monarchy remained elective until the time of Leopold I. This prince had been crowned at Presburg in 1655, during the life of his father. Before his coronation, the conditions upon which he was to receive the crown were offered him, according to custom. He accepted and swore to them, and caused a diploma to be made of them and inserted in the public acts. All these conditions, like his predecessors, he had constantly violated; and at length, in 1687, at the close of a successful war with the Turks, of which, as usual, Hungary had borne the expense and the suffering, he felt himself strong

* See the representations of the grievances of the Hungarian nation made by the diets of 1559 and 1563. See also the letter addressed by the Bishop of Colócza to Joseph I., through Baron Scalvinioni, 1703.—The manifesto of Prince Rakóczy, 1703.—Memoirs of Prince Rakóczy, by himself, 1739.

enough to carry into effect the long-deferred project of his house. He knew, however, that he was to encounter no slight obstacle in the resistance of the Hungarian nobles, the patriotism and courage of many of whom he had already proved. He provided against this difficulty beforehand. Immediately before he summoned the diet that was to sanction this change in the constitution of the kingdom, the discovery of a fabulous conspiracy against the government gave him an excuse for ridding himself of all those whose courage or patriotism might offer hindrance to his designs. A court was opened at Debreczin, presided over by Caraffa, a name more infamous than that of Jeffreys, and here, under the most horrible tortures, numberless victims perished. The trials were conducted secretly; the public never knew of what the sufferers were accused, or on what evidence they were condemned. A yet more terrible tribunal was established at Epéries. Caraffa repaired thither, and to this bar were dragged, from every part of the kingdom, all whose virtue rendered them suspected, or whose wealth offered a temptation to the cupidity of their judges.* A scaffold was erected in the midst of the city, where, from March to December, the executioners were kept constantly at work. The following passage from the *Histoire des Révoltes de Hongrie* will give the reader some idea of the horrors of this time:—

“ ‘There were seen in this city thirty men, dressed in green, all executioners, or servants of executioners, employed in administering the torture, in beheading, breaking on the wheel, and quartering. Dragoons traversed the country, to seek for persons of condition, whether Catholics or Protestants. These were seized, some in the church, some in the streets, others in their houses, wherever they could be found. It was in vain that some alleged their innocence, and that others had recourse to the amnesty which they had received for past offences. They were cast into dungeons, and underwent the torture, ordinary and extraordinary, to compel them to avow the crime of which they were accused, and to declare their accomplices. . . . The

* See Fessler, *Die Geschichten der Ungarn*.

† A very valuable work, written by a Hungarian, in the French language, published in 1739. The Hungarians commonly write in French, German, or Latin, when they desire to give their works a European circulation. In the eighteenth century, prior to the time of Maria Theresa, they used French in preference to German.

sons, brothers, and relations of those who were thus tortured cast themselves at the feet of Caraffa, to conjure him to follow, at least, some rules prescribed by the laws of the country, or any others which are in use among Christians.'

"Caraffa referred them to the court of Vienna. Here they found a gracious hearing, and received promises of mercy for their friends; but the executions continued, and when the petitioners returned to Epéries, it was to find those whose pardon they thought they had obtained already dead, or to have their remonstrances unheeded by the judges, who had been furnished with private instructions.

"It was under these circumstances, that Leopold summoned the diet of Hungary to crown 'the most serene Archduke Joseph, as their *hereditary* lord and king.' It was not in the power of the Hungarians to disregard this summons. The troops of the emperor occupied all the fortified places of Hungary and Transylvania, and the scaffold at Epéries remained standing even to the day of the coronation. Yet, with all this, the diet did not yield without a remonstrance. In their reply to the king's demand, they first set forth the grievances of the nation, and demanded the withdrawal of the foreign troops. They then expressed their willingness to elect the Archduke Joseph according to the ancient forms, but declined to acknowledge him as their *hereditary* king. The court now made use of every art to win the diet to consent. Every thing was promised. The patriotic members were bribed with assurances of the speedy redress of the grievances of the nation; the selfish with the promise of office and emolument for themselves. But there were among them still men who were not to be blinded by falsehood, and who were unassailable by motives of fear or interest. Among the most distinguished and the most influential was the Count Drascowich, who held the office of *Judex Curiæ*, Grand Judge of the kingdom. This nobleman fell suddenly dead on quitting a banquet where he had just received a letter from the hands of a messenger from the king. The servants of Austria saw in his death the just judgment of Heaven on the head of the opposer of the will of royalty. The Hungarians gave it another interpretation.

"The diet at length succumbed to the wishes of the king. But his triumph was only partial. The states yielded their consent only on conditions from which they firmly refused to

depart. They stipulated, first, that in case of the failure of male heirs of the house of Hapsburg, the Hungarian nation should recover its rights over the crown, and the kingdom should become once more elective. The second condition was, that the king should still be obliged to take the oath to maintain the constitution, and that the people of Hungary "should preserve, under the hereditary monarchy, all the privileges, immunities, rights, customs, and liberties, which they had enjoyed under the elective monarchy." The emperor assented to these stipulations, requiring only the exception from the chapter of their privileges of the thirty-first article of the Golden Bull, which gave to the nobles the right of armed resistance, without incurring the penalties of treason, in case of an open attack on their liberties by the king. This article was rescinded. On the 9th of December, 1687, the ceremony of the coronation took place. Thus did the crown of Hungary become hereditary in the House of Hapsburg.

"Charles III., the successor of Joseph, had no son. By the terms of the act of the diet of Presburg, of 1687, the crown must therefore become, at his death, once more elective. This prince had reigned with somewhat more moderation than his predecessors. He had, indeed, like them, infringed the laws and trifled with the interests of Hungary, but his government had been less insupportably cruel than theirs. This comparative clemency of the reigning prince, and yet more, the dread of the civil wars which would result from a contested succession, induced the Hungarian nation to give their consent to the Pragmatic Sanction, by which the right of succession was assured to the daughters of Charles and their descendants. By the term of the Pragmatic Sanction, the succession was to be transmitted *in the order of primogeniture*, and without division of the kingdom. It was accepted by the Hungarians only on the same conditions that were attached to the act of 1687. The sacred crown of Hungary was not to be carried out of the kingdom, and no prince was to assume it until he had taken the oath to observe and maintain the laws, customs, privileges, etc., of the kingdom. This instrument was guaranteed by all the principal powers of Europe. Hungary alone was faithful to the engagement. We need not dwell here on that celebrated scene, better known than any other passage in Hungarian history, where in the place of labored harangues,

the flash of sabres, and the emphatic words, ‘*Vitam et sanguinem*,’* answered the appeal of the betrayed and deserted queen.

“Maria Theresa was the first of her house who can be said to have ascended the Hungarian throne by the free choice of the nation. In her reign, for the first time since the accession of the House of Austria, a sentiment of loyalty to their sovereign sprang up in the breasts of the Hungarian people. They entertained for their queen that affection which generous minds feel towards those whom they have benefited. Maria Theresa was not insensible to the devotion of her people. But the gratitude of the woman could not overcome the selfishness of the despot. She expressed her sense of her obligations to the Hungarians in every way in which she could do so without any sacrifice of her convenience, or of the schemes of absolute dominion never lost sight of by any sovereign of the Austrian dynasty. She pursued these schemes with a prudence unknown to her predecessors. She avoided giving any violent shock to the national feeling of the Magyars by a direct attack upon their institutions ; she won them by fair words and lavish encomiums, which a generous and confiding people, unused to even so much consideration for their rights as they received from her, accepted as if they had been substantial benefits. Even in the promotion of measures really advantageous to the kingdom, Maria Theresa took care to bring herself a step nearer to the accomplishment of her designs. She put forth decrees of her own authority, without the concurrence of the diet ; as, for example, those regulating the urbarial relations, which the nobles, in consideration of their manifest justice and expediency, accepted, notwithstanding the illegal manner of their promulgation.

“Joseph II., the son and successor of Maria Theresa, was a man of more activity of intellect and greater individuality of character than often fall to the lot of princes in modern times. He possessed, together with these qualities, an obstinate and imperious temper. He had been carefully educated by a Hungarian tutor, a man of extensive learning and enlightened views, and had thus acquired certain philanthropic and liberal ideas, which,

* “For,” says the Hungarian historian, Fessler, “the highest enthusiasm is only strong in deeds, not rich in words.”

engrafted on his original disposition, and forced to reconcile themselves with his schemes of usurpation, made him a strange compound of tyrant and reformer. From the commencement of his reign, he declared his intention of governing by his own absolute authority. He disdained to receive the crown from the Hungarian nation, and refused to take the oath of fidelity to the laws. His reign was one continued contest with the Hungarian people. He decreed the entire subversion of their ancient constitution and laws, which he would replace by model institutions of his own. He gave the Hungarians three years in which to learn the German language, at the expiration of which time no man could hold an office or serve his country in any capacity who had not made himself master of that tongue. The Hungarians resisted, by petitions, by remonstrances, and by the refusal of subsidies. At length they spoke a language to which he was forced to listen. The contest ended, as all former contests of this sort had ended, in the defeat of the usurper. Joseph was forced to cancel the work of his whole reign. He revoked all his decrees, and declared that the kingdom was to be regarded, in respect to its political institutions, as standing in the same position as when he began his reign. He announced his intention of assembling the diet. He promised to submit to the ceremony of coronation, and to take the oath of allegiance to the Hungarian constitution. He restored the regalia of Hungary to the charge of the nation. But he was not destined to wear these emblems of royalty by their gift. On the day when the sacred crown of St. Stephen was received at Buda, in the midst of universal acclamations and the roar of cannon, the monarch lay dead in his palace at Vienna.

“Leopold, the brother of Joseph, warned by the example of his predecessor, began his reign with voluntary assurances to the Hungarian people of his earnest intention to govern according to the laws. He immediately convened the diet, the first which had been called for twenty-five years. He was solemnly crowned according to the ancient customs, and took the oath to maintain the constitution. But this was not deemed by the nation a sufficient guarantee for the safety of their institutions. The diet, accordingly, passed a number of decrees, defining the powers and duties of the king, and the rights of the nation. These decrees contained nothing new. All the articles already

made part of the law of the kingdom. But the diet deemed it essential, in view of the danger which the liberties of Hungary had so recently incurred, that these statutes should be once more solemnly confirmed by the diet, and receive the royal sanction. Of these acts we will cite some of the most important:

“‘Articles 2 and 3. Within six months after the death of the king, his successor shall be crowned at Presburg, and shall take the oath to observe the laws, liberties, and privileges of the kingdom.’

“‘Art. 10. Hungary is a free and independent kingdom, in no way subordinate to any other people or kingdom, and is to be governed by its lawfully crowned king, not according to the customs of the other hereditary dominions, but according to its own laws, rights, and customs.’

“‘Art. 12. The right of making, repealing, and interpreting the laws belongs to the lawfully crowned king, and to the states of the realm in the diet assembled, conjointly; and this right cannot be exercised except in the diet of the nation. The king shall never attempt to govern by edicts or patents, which, moreover, it shall not be lawful for any authorities to receive, except where such patents are merely designed for the more effectual publication of ordinances legally enacted.’

“‘Art. 19. The imposts shall never be levied by the king, but freely voted by the diet.’

“It was likewise decreed, that the diet was for the future to be assembled every three years, and oftener, if the public welfare demanded it. The right of free discussion was likewise asserted. The sacred crown of the kingdom was to be kept in the castle of Buda, and never to be taken thence without the consent of the diet.

“Thus, in 1790, the fundamental laws of the kingdom of Hungary were solemnly reënacted by the diet, and confirmed by the king.

“But the diet of 1790 did not confine its labours to the confirmation of the ancient laws, or the defence of nationality. From this period we are to behold the Hungarian nation under a new aspect. Hitherto we have seen the nobility of the country successfully contending for the preservation of their chartered rights and privileges against the usurpations of Austria.

We are now to see them engaging with equal energy and resolution in a yet nobler contest. The attack which Joseph II. had made on the constitution of Hungary had, in the course of the discussions which it excited, turned the attention of the nation back upon the earlier periods of their history, and roused inquiry into the original nature and design of their institutions. In this investigation it was impossible for the Hungarians not to become aware that these institutions had not only been tampered with and defaced by Austrian policy, but that many abuses had been suffered to creep into them, with the connivance of the nation itself, whether from the example of neighbouring countries, or the exigencies of barbarous times. They perceived, moreover, that many customs which, in their origin, had been reasonable and convenient, were now wholly unsuited to the needs of the age, and were inconsistent with the prosperity and advancement of the nation. They became sensible, above all, that the position in which the privileged classes stood with regard to the great body of the people was an unjust one, and wholly at variance with those principles of liberty and universal equality which lay at the foundation of their political constitution. With a people possessed of so high a sense of honour as the Magyars, to perceive this injustice was to resolve to repair it. Of this liberal movement in Hungary, whose first public demonstration was made in the diet of 1790, De Gerando thus speaks:—

“‘From this time they (the patriots of Hungary) declared that, in a modern state, liberty ought to be the portion, not of a few, but of all. They asserted that the old word *privileges* ought to be abolished, to be replaced by a word applicable to all,—*rights*. This comprehension of their epoch led them to accomplish an unexampled act, to give to the world the new spectacle which now meets our eyes;—an aristocracy demolishing, of its own accord, stone by stone, the aristocratic edifice; a nobility, under the eyes of an inert government, taking the initiative in pronouncing the word of civil equality, and pursuing its task with order and perseverance, in spite of all obstacles.’—*De l’Esprit Public en Hongrie*, p. 96.

“The conduct of the Hungarian reformers is rendered yet more worthy of admiration by the fact, that no discontent on the part of the peasants themselves had called the attention of the nobles to the question of their wrongs. The reformers

of Hungary were led by their own sense of justice, without any external impulse, to undertake the work of the emancipation and elevation of the people. But, while it was conceded by all that a change must take place in the relations between the people and their manorial lords, the manner in which this change was to be effected was matter for grave consideration. The most ardent reformers proposed the immediate abolition of the urbarial dues, without compensation to the proprietor, declaring it to be a simple reparation of an ancient injustice. Others were of opinion that such an act would be inconsistent with the rights of property, since the dues paid by the peasant were simply a form of rent for the use of the land. The subject was submitted to a committee, who were instructed to report upon it at the next assembly of the diet. Other committees were appointed to report on the reform of the administration, on the education of the people, on the liberty of the press, and on the national grievances.

“The same diet passed many laws renewing and confirming the ancient laws, which established entire freedom of religious faith.

“Leopold, on closing the diet, renewed his assurances to the nation, of his intention to govern according to the constitution. He did not live long enough either to give proof of his sincerity, or to disappoint the expectations of the nation. He died in February, 1792, and was followed to the tomb by the deep regrets of his people.

“The moderation which he had shown in his short reign had done much to appease the minds of his Hungarian subjects, and they were prepared to receive his son and successor with very different feelings from those with which they had looked forward to his own accession to the throne. The first acts of the young prince seemed to justify their confidence. He convened the diet at Buda within sixteen days after his father’s death, and offered the assembled states the assurance of his intention to respect their institutions and laws.

“‘I will myself,’ said he, ‘be the most diligent guardian of the constitution. Rest assured that my will shall always be subjected to the law, and that, in all my aims, I will be guided only by justice, honour, and confidence in the Hungarian people.’*

* Fessler, *Die Geschichten der Ungern*, 10ter Bd., S. 658.

"The royal propositions addressed to the diet confirmed the favourable impressions with which the nation already regarded their young king. The first two articles interpreted the diploma of the coronation in a manner favourable to the constitution. The king then called the attention of the diet to the subjects left undecided at their last meeting, and concluded with a request for subsidies and the augmentation of the army. The diet, eager to express its confidence in the sovereign, immediately voted the increase of the army, and a subsidy of four millions to be paid by the nobles. This done, they were proceeding to transact the business of the nation, when the king suddenly dissolved the diet. The most important affairs, and among them the contemplated reform, were left uncompleted. He did not fail, however, to renew his promises of governing according to the constitution :—

" 'I go from you richer than I came among you ; but not by reason of the subsidies I have received from you. These belong to the state, not to me. That which I call my own, that in the possession of which I place my happiness, is your affection. The kingdom I have received by inheritance, but this love and mutual confidence is my own work and yours. I will never cease from my sincere and zealous exertions for the good of our common fatherland. Bear to your fellow-citizens the solemn assurance that, always mindful of my pledged faith, I will be the true guardian and fulfiller of the laws.'*

" The diet was summoned again in November, 1796. The expenses of the war with France forced the king to ask his Hungarian subjects for supplies. On this occasion he dispensed with all circumlocution. The royal propositions simply contained a demand for troops and money. In addition to the subsidies which had been voted at the last diet, the Hungarians had testified their affection for their young king by large voluntary offerings. The sum of the contributions in money and produce, which had in this way been furnished to the king since the last assembly of the diet, amounted to more than fourteen millions of guldens.

" The diet of 1796 again acceded to the demands of the king. They granted him large supplies in money, and fifty thousand recruits for the army, on the condition that these

* *Ibid.*, 10ter Bd., S. 660.

should be incorporated only into Hungarian regiments, and should be commanded by Hungarian officers. The diet had trusted that, when they had fulfilled the wishes of the king, he would show himself ready to listen to the 'representations' of the nation. These expectations were disappointed. The diet was dissolved before any thing had been done for the interests of the country. It was summoned again in 1802. Peace had been declared ; the hopes of the nation revived. The king, in his opening speech, informed the diet that, peace being established, he was now ready to advise with them on matters touching the public welfare. He expressed his sense of the generosity of the Hungarian nation, and assured them that the recollection of their devotion would never be extinguished in his heart. 'And now,' said he, 'that peace is concluded, I wish to bestow my cares on this country, which, by its extent, its resources, and the noble character of the people, is the chief bulwark of the empire.' This was the preface to a declaration that the royal treasury was empty, and that it concerned the Hungarian honour that the crown should not be left without defence. 'Peace,' said he, 'can be maintained only by a state of preparation for war.' The demands of the king were again granted, but no longer in the same spirit of affection and loyalty as formerly. Distrust began to take possession of the nation, as they saw their grievances unattended to, and the most important reforms delayed. A number of measures which had been discussed and accepted by the diet were prevented from passing into law, for want of the royal sanction. The diet separated with a feeling of deep dissatisfaction. The same scenes were repeated in the diets of 1805 and 1807. The confidence of the Hungarians in their king was shaken, but appeals to Hungarian honour and loyalty had not yet lost their effect upon them. They again voted the required supplies, again presented their grievances, and again saw the consideration of them deferred.

"But though the Hungarians had so little reason to place confidence in their king, their loyalty was still capable of standing a severe proof. Napoleon, who was aware that the war against France was very unpopular in Hungary, and that great dissatisfaction prevailed in regard to the Austrian policy, addressed a proclamation to the Hungarian nation (May, 1809.) He offered to establish them as an independent kingdom, if

they would withdraw their allegiance from the emperor of Austria, and assist the French in the overthrow of that empire. But the high sense of honour of the Hungarians shrank from what had the appearance of treason. It was not in the season of danger that they would desert their king. The proposals of Napoleon were rejected.

"The return of peace, in 1815, left the Hungarians at leisure to devote themselves to the internal improvement of their country, and to prosecute the reforms begun in 1790, of which the enlightened portion of the nation felt more and more the necessity. The Hungarians had now reason to expect some proof, on the part of their king, of that affection and gratitude, of whose expression he had been so lavish in the season of danger. But the return of peace gave the Austrian cabinet, likewise, opportunity to unfold its plans. Francis, now feeling himself firmly seated on his imperial throne, resolved thenceforth to reign in Hungary without the assistance of the diet. The convention of this assembly having been delayed beyond the prescribed time, the counties addressed letters to the king, representing the urgent wants of the nation, and declaring that the public welfare absolutely demanded the convocation of the national assembly. These letters remained unanswered. The circulars which the *congregations*, or county assemblies, addressed to each other were seized and suppressed. While affairs were in this position, the empire was threatened with new disturbances on the side of Italy. It was necessary to strengthen the army and replenish the treasury. As formerly, it is in Hungary that these supplies are to be sought, but it is not, as formerly, by the free gift of the people that they are to be furnished. The emperor, by the advice of his cabinet, resolved to levy the required supplies by his own absolute authority. There were not wanting in the royal council men who had courage and firmness enough to oppose the opinion of the majority and the wishes of the king. Német, who held the office of *Director causarum regalium* in Hungary, expressed himself with true Magyar frankness. He declared in the royal presence, that the king would violate the constitution of Hungary and his own royal oath, if he suffered himself to be led by his Austrian counsellors to these rash and illegal measures. 'Do you forget,' exclaimed the king, 'that I am emperor and king, and that your head is at my disposal?' 'I know it well,' replied

the Hungarian, ‘ but the liberty of my country and the honour of my king are dearer to me than my life.’ The counsel of injustice and aggression prevailed. The levying of recruits was ordered, and the increase of the impost to four millions of florins. Hungary did not submit quietly to this invasion of her rights. The counties refused compliance. Imperial commissioners were then appointed, who were to carry into effect the royal commands. It was in vain. The news spread rapidly through the country, and everywhere excited the most lively indignation. All possible embarrassments were thrown in the way of the commissioners. They could with great difficulty obtain horses for their journeys. At their approach, the public functionaries laid down their offices and disappeared. This passive opposition was encountered everywhere. In some counties it took a yet more decided character. In the end, Francis was forced to yield, as Joseph had been ; he had outraged the feelings of his subjects to no purpose. However reluctantly, he found himself constrained to convene the diet in 1825.

“At the opening of the diet Francis endeavoured, by a conciliatory speech, to appease the resentments of the assembly. But the members were not satisfied. They required the names of the traitors who had misled the king by their counsels. One of the magnates being prosecuted for the freedom of his expressions, all the deputies supported him, and declared that he had expressed the sentiments of all. The prosecution was withdrawn. The deputies then addressed to the king a representation of the grievances of the nation. To the long list of ancient griefs were now added the recent attempt to levy money without the consent of the diet, and the acts of violence committed by the royal commissioners. Francis, in his reply, began with reproving the deputies for bringing forward their own grievances, before considering the royal proposition on the subject of the impost. He declared that he would protect the faithful subjects who had executed his will. At the same time, he expressed regret for what had occurred, but justified it by the plea of necessity. In conclusion, he left the question of the impost to the decision of the diet. This body, before acceding to his demands, required and obtained of the king a renewed confirmation of the fundamental laws of the kingdom. He bound himself never more to raise money without the concurrence of the diet, and engaged to convoke this assembly every three

years. On their part, the states voted to raise the amount of the impost to four millions.

“The national assembly, dissolved in 1827, was to be convened anew in 1830. This was not done without great reluctance on the part of the Austrian cabinet, which perceived with apprehension the effect that the events which took place in France in July of that year had produced on the Hungarians. But it was necessary to raise subsidies; and it was no time to revolt the minds of the people, at the moment when the country was resounding with enthusiastic expressions of its sympathy with the triumph, in a neighbouring state, of the cause of constitutional rights over despotism. The diet was therefore convened. But the king, at the same time, gave notice that, after a short session devoted to the consideration of the most urgent affairs, it would be dissolved, to be convened again the following year. The diet met on the 11th of September. The king required the raising of recruits, and, the late events having somewhat lessened his confidence in the success of arbitrary measures, he accompanied his demand with all those flattering expressions which the Austrian kings of Hungary were accustomed to bestow so liberally on their subjects as often as they stood in need of them, and which had but too much effect on a people highly sensitive on the point of national honour, and devotedly loyal, whenever their duty to their country did not come in collision with their deference for their king. The diet acceded to the royal demands. It voted the recruits, with the usual stipulation, that they should be placed in Hungarian regiments, and should be commanded by Hungarian officers. The king replied evasively, that the Hungarians should be placed in these regiments, in preference to any other inhabitants of the empire. The diet refused to vote for the raising of the recruits without some more positive assurance. The emperor had recourse to the Palatine, and desired him to use his personal influence to overcome the resistance of the diet.

“The Archduke Joseph, called to the dignity of Palatine in 1796, at the age of twenty, had filled his difficult post of mediator between the king and the people with great discretion. If he had been the independent king of Hungary, the nation might have found in him one of the wisest and most patriotic of its princes, and, under the auspices of an administration, prudent, and, at the same time, liberal, might have followed,

with sure steps, the path of political reform, and have taken, once more, a high place among the powers of Europe. As it was, placed as mediator between a people jealous of its liberties, and a sovereign watchful for an occasion to subvert them,—a sovereign to whom he owed, at the same time, the respect of a subject and the affection of a brother,—Joseph was forced to guide himself by a system of compromises, and, not unfrequently, to play on the generous feelings which he knew so well how to excite. The Hungarians, on their part, knew, or believed, that the regard which the Archduke Joseph had displayed for their interests had lessened his favour with the imperial court. He had, then, suffered for them. They repaid him with an enthusiastic affection, and the Palatine not seldom won from their gratitude concessions which he would in vain have expected from their compliance. On the present occasion, called upon by the court for aid in an attempted encroachment on the rights of Hungary, he felt that it was on this attachment for his person that he could alone rely for success. He addressed the diet in a speech skilfully framed, which concluded with these words:—‘ Let, then, the states, in remembrance of thirty-five years of services, of efforts consecrated to this kingdom, which I proudly regard as my country, and in consideration of my position as mediator between the king and the nation,—let the states, I say, consent to show me some manifestation of their gratitude, by withdrawing their motion.’ These words did not fail of their intended effect. The recruits were voted; the condition was withdrawn. In three days, the king dissolved the diet.

“ But the nation was no longer to be trifled with. The necessity for reform was, every day, more strongly and more extensively felt. The interval between the dissolution of the diet of 1830 and the assembling of that of 1832, was not lost by the patriots of Hungary. They employed it in determining on the measures of reform to be introduced at the next diet, and in concerting their plan of action. The condition of the peasantry was felt to be the subject which most urgently demanded attention. One of the most zealous advocates of the cause of the people was found in Count Széchényi, one of the large landed proprietors of the kingdom. He prepared the way for the reception of the question of the emancipation of the peas-

antry, by a series of works, which had a great effect in enlightening the public mind.

“The Austrian cabinet, in the mean time, had not been idle. Having been reluctantly compelled to convene the diet, it took its own measures to put a check on the designs of the liberal party. It gave orders to its agents to leave no arts unemployed, and to spare no expense, to defeat the election of the liberal candidates.* These efforts were vain. The spirit of liberty and the virtue of the people resisted all attempts. The chamber of deputies was almost wholly composed of liberal members.

“The Austrian cabinet, too prudent to enter into open contest with a movement which was evidently becoming national, affected to adopt the views of the liberal party, hoping, by an apparent and partial acquiescence, to allay the excitement of the public mind, and to restrain and direct a movement which it could not suppress. The royal propositions, therefore, embodied some of the principal measures of reform projected by the liberals. Among the most important of the subjects to which the attention of the diet was called, were the creation of the urbarial code, delayed since 1790, the reform of the judiciary, and a more equitable division of the imposts.

“Notwithstanding the enthusiasm for liberty which pervaded the Hungarian people, and the generous ardour with which her enlightened patriots approached the work of reform, it is not to be supposed that measures, involving important changes in the constitution of the country, were passed without encountering opposition. This opposition sprang from two very different sources. It arose, on the one hand, from the conservative spirit of the elder magnates, old Magyar patriots, who regarded the institutions of their country with a superstitious affection, and in whose eyes it was a sacrilege to lay a finger on one stone of this venerable edifice. The organ of this party, composed of men who had been the patriots of twenty years before, and to whom it is impossible to refuse our respect, was Dessewffy. ‘In my youth,’ cried the venerable noble, ‘I defended my country against the usurpations of Austria; in my old age, I will defend her against the ingratitude of her sons.’ The other

* See De Gerando, *De l'Esprit Public*, p. 174, for the account of the elections in the county of Bars.

and more dangerous source of opposition which the plans of the reform party encountered, arose from the influence of the Austrian cabinet. This government, true to its constant principle, *Divide et impera*, while it gave apparent countenance to one party, lent its real support to the other. It was not ill pleased to see these impracticable Hungarian magnates engaged in a contest for their institutions with their own countrymen, and those forces divided which had hitherto been concentrated in the defence of Hungarian nationality against Austrian encroachment. Thus, while affecting to take the initiative in the reforms contemplated by the liberal members of the diet, the Austrian government opposed the success of these measures with all the weight of its influence. It was no longer as in those times when the monarchs found their interest in raising the condition of the common people. In this nineteenth century, it is not the king who shields his prerogatives against the encroachments of an ambitious nobility ; it is king and aristocracy who tremble together, before the advance of a new power, which threatens them both with extinction.

“But the cause of liberty was not without its advocates in the upper house. The younger magnates,* with the exception of those who held places under the government, shared warmly in the liberal spirit of the time, and, with the generous ardour

* The diet of Hungary is composed of two chambers, or “tables,” as they are there called.

At the first table sit the dignitaries of the church and the state, and the titled nobility, or magnates. This table is presided over by the Palatine.

The second table is composed of the deputies of the counties. Each county sends two deputies. The royal cities, and certain chapters and privileged districts, send also their deputies to the diet. These, however, before the extension of representation in 1848, had but one collective vote. Croatia sent three deputies to the diet, one of which sat in the upper and two in the lower house. The chamber of magnates did not form a part of the ancient constitution of Hungary. Before the accession of the Archdukes of Austria, the diets were held in the open air, and all the noble inhabitants of the country had a right to be present at them, and take part in the deliberations. The foreign government found its account in raising up a class whose interests were separated from those of the main body of the nation. The “second table,” or chamber of deputies, is still called, by distinction, “the States.” The initiative belongs to the king and the second table of the diet. The deputies are bound to vote according to the instruction of their constituents, and can be recalled if they fail to satisfy them.

of youth, were ready to make any sacrifice which the welfare of their country demanded. At their head was the noble Széchényi, who supported the cause of freedom and justice with the double power of eloquence and reason. It was he who gave the first blow to the peculiar privileges of the aristocratic class. He brought forward a project for a suspension bridge between Pest and Buda. He proposed that all who passed this bridge, whether peasant or noble, should be subjected to the toll. This question assumed importance from the principle involved in it. The exemption from all public charges was one of the most cherished privileges of the nobles. It was a question in which their pride was more concerned than their pecuniary interest. Széchényi knew how to combat the pride of the Magyars by calling on their generosity.

“‘Do you call it a privilege,’ said he, ‘to be debarred from contributing to the advancement of your country? Is it a privilege to be obliged to devote your wealth only to your own selfish gratification, while your country languishes in perpetual poverty? Will you build houses, and plant trees, and lay out walks through your grounds, while the country has neither roads, nor public buildings, nor navigation, nor commerce? After all, what is the question before you? Are you called to sacrifice your constitution to a foreign power? No; it is yourselves who are to pronounce the decision. The right to give ourselves laws, the right to restrain our own liberties, is not that, in itself, the highest liberty!’

“The measure was carried. The diet then proceeded to pass several other laws, which touched yet more nearly the prerogatives of the aristocracy. The constitutional right of the noble to be exempted from arrest, except on a charge of high treason, was abolished. The judicial power was taken from the lord of the manor. The peasant received the right of instituting a suit against a noble, and even against his own manorial lord. It was especially to the improvement of the peasantry that the diet of 1832–36 devoted its energies. The right of free migration, which had been repeatedly adjudged to the peasant by former diets, and had as often fallen into disuse, was confirmed. The amount of land which he had a right to hold for his own use was increased; the vexatious exactions, known by the name of the little tithes, abolished; and the *robot*, or socage labour, reduced to fifty-two days in the year. The most important mea-

sure was that which decreed to the peasant the right of redeeming the *tized* (tithes) and *robot* (*corvées* or socage-work), by means of contracts passed between him and the manorial proprietor, and of thus becoming the owner of the soil he tilled.* In addition to these important measures, the diet of 1832 passed several bills for internal improvements. This diet was not, however, content with providing only for the material wants of the country. The friends of reform had long been desirous of establishing a system of public instruction. They had repeatedly called the attention of the government to this subject, but always without effect. The representations offered by the present diet were not more successful. The education of the people was too dangerous a power to be trusted in the hands of reformers ; and the Austrian cabinet, emboldened by the support of the conservative party in the upper house, felt itself strong enough to venture on open acts of opposition to the views of the liberal party. This conduct of the government called forth the liveliest indignation in the chamber of deputies.

“ ‘The government,’ said Bezerédy, ‘sins against its own conscience in refusing to permit us to secure instruction to our children and our fellow-countrymen. But patience has its limits. Let the government look to its acts. Its conduct forces the nation to rely on itself. I call upon you, then, I call upon the whole nation, to unite in paying to our country this most necessary duty : to unite in fulfilling a sublime, a holy work, that of elevating the people.’

“ ‘Let us thank the government,’ said Deák, ‘let us thank the government. There are among us those who cherish, if not a full confidence, at least a hope, that the government is not hostile to the welfare of our country. But all the answers of the court have been calculated to dispel these illusions. Let us, then, thank the government, for illusion is the worst of evils. We ask of the government neither money nor counsel ; we make no attempt on the royal prerogative ; we simply ask to be allowed to frame a law for the moral and material development of the people. And the government interferes to prevent us. But what will it gain by this interference ? In more than one heart will be planted the bitter conviction, that the Austrian

* Many proprietors had already made contracts of this kind with their peasants, though the only security for their fulfilment was the good faith of the parties.

government dreads the prosperity of Hungary, and labours to repress it. False calculations! Can there be more short-sighted policy than to excite in us such bitter feelings, at the very moment of the dissolution of the diet, that we may communicate to our constituents these feelings, which will, in three years, again animate the representatives of the country? It is not necessary to be a prophet, to predict that this policy of the government will favour the development of the national faculties more than all polytechnic institutions.'

"The diet separated in May, 1836. The result of its labours fell short of the wishes and plans of the reformers, yet they must be regarded as having gained a signal victory. This victory was not achieved without cost. Every triumph of truth and justice has had its martyrs.

"It was during the sitting of the diet of 1832-36, that the name of Kossuth was heard for the first time. He attended the diet as scribe for some of the deputies. He had learned the art of short-hand writing, in order the better to qualify himself for making reports of the discussions in the diet. These reports he lithographed and circulated as a newspaper. The government declared the publication of the proceedings of the diet in this way to be illegal.* Kossuth then organized a society of young men, composed chiefly of the scribes who attended the deputies; these copied the journal by hand, and it was then transmitted to the subscribers through the post, in the form of a letter. These letters were seized in the post-office, and destroyed. This infringement of their rights only served to rouse the indignation of the people, and to give celebrity to the journal. The papers were thenceforth carried by the county messengers, and delivered at the doors of the subscribers. After the closing of the diet, Kossuth continued to edit his journal, giving, in the place of the deliberations of the diet, the discussions in the county assemblies. This journal being interdicted

* It was of great importance to the government to prevent the publication of the debates in the diet. Every art was put in practice by the Austrian cabinet, to deceive the people in regard to the views of the opposition party. Emissaries were employed to diffuse among the peasantry an impression that the nobles were unfriendly to their interests, and prevented the benefits which their 'good father, the emperor,' wished to bestow on them. Nothing could tend more effectually to disabuse them, than giving publicity to the proceedings of the diet.

by the government, Kossuth made application to the county of Pest, and was formally authorized to continue it.

“The censorship of the press has never existed by law in Hungary, but, since the awakening of liberal ideas in that country, the Austrian government has exercised a censorship of the most formidable kind. It could not attack the publisher or author by process of law; but by a sudden act of arbitrary power, it cut off from the world the utterer of dangerous doctrines, and smothered his voice in the silence of the dungeon. Since the beginning of the present century, not less than forty Hungarian patriots had met this fate. It was thus that Kossuth was now dealt with. He was seized in the middle of the night, and consigned to a dungeon in Buda. The government arrested, at the same time, the leaders of a debating society, formed by some young men, who met for the purpose of political and literary discussions. Among these was Lovassy, a young man of brilliant talents and an ardent patriot. When the amnesty of 1840 restored him to liberty, he was no longer to be recognized; the horrors of the dungeon had deprived him of reason.

“Another victim of the vengeance of the government was the Baron Wesselényi. This nobleman was born of a family which had already made sacrifices to liberty. His ancestor, the Palatine, had defended the liberties of Hungary against the encroachments of Leopold, and would have lost his life on the scaffold, if he had not found refuge in Transylvania. The father of Wesselényi had sustained in his castle, for a whole day, the attack of a regiment of dragoons sent against him by Joseph II. His mother was a noble woman, who early impressed on his mind the principles of justice and benevolence. Wesselényi had long been an object of fear to the Austrian government. He possessed large estates both in Hungary and Transylvania; this gave him a right to sit in the diet of both kingdoms.

“The Transylvanians, not less attached to their liberties than the Hungarians, had seen them even more boldly infringed. The constitution of that kingdom requires that the king shall summon the diet every year. During the war with Napoleon, its convention had been suspended, and, after the return of peace, the Austrian cabinet still continued to govern the kingdom as a province of the empire. The dissatisfaction of the

people was great. They watched with deep interest the movements of the patriots in the sister kingdom. They had seen these succeed in forcing from the government the restoration of their political rights, after a suspension of thirteen years. The news of the revolution of July, in Paris, which seemed at that time an event full of good augury for all who were engaged, whether openly or silently, in a struggle for their rights, spread rapidly through the country, and added to the popular excitement. It was then that Wesselényi appeared on the scene. He was a man peculiarly fitted to guide and control a popular movement. He possessed a vigorous intellect, improved by the highest degree of cultivation, invincible firmness, and a disinterestedness which his enemies have never impugned. He was not less endowed with all those qualities which possess a peculiar influence over the popular mind. To the prestige of high birth, he added the advantages of wealth, an imposing person, and a captivating eloquence. He possessed Herculean strength,—a gift held in high respect by a simple and martial people,—and an intrepid, almost reckless courage, which shrank from no form of danger, now leading him to brave the vengeance of a despotic government, now to put off alone at midnight in a frail boat, to save from the waters of the Danube the victims of an inundation.* Wesselényi might as easily have roused the Szeklers and Magyars of Transylvania to armed insurrection, as to a constitutional vindication of their rights. But while he called them to action, he restrained their enthusiasm within the bounds of law. He passed rapidly through the country, haranguing the congregations. He turned the excitement and unfixed purposes of the people to a single point. He brought the different counties into communication with each other, and led them to combine to demand the restoration of their political rights. The people rose at his summons, and the counties unanimously demanded of the king the convocation of the diet. The government did not venture to refuse the demand. The convocation of the diet was proclaimed. Wesselényi had gained a victory over the Austrian cabinet; but one which they

* During the terrible inundation which took place on the breaking up of the ice in the Danube, in 1838, it is said that Wesselényi saved the lives of not less than two hundred persons. He remained on the river for several days and nights, in an open boat, in continual danger from the masses of ice which were floating down the river.

would not fail to make him expiate. With this ardent and fearless temper, he was not long in offering them an occasion. During the diet of 1832-36, at the time when the government was endeavouring, through its emissaries, to misrepresent the views of the liberal party, and to excite the jealousies and prejudices of the nobles in opposition to reform, Wesselényi, in the county meeting of Szathmár, detailed and explained the measures which were contemplated by the reform party. In the course of his speech, he spoke bitterly of the injustice which the people suffered from the privileges of the aristocracy, and the check which the prosperity of the nation received from the policy of the government. Some of his expressions were pronounced to be treasonable, and he was condemned to three years' imprisonment. It was immediately after his noble exertions during the inundation, and while his name was on all lips, that this decree was carried into execution. Three years' imprisonment in an Austrian dungeon is a sentence whose terrors, in this country, cannot be easily comprehended. On a vigorous frame and energetic temperament, like Wesselényi's, the damp and squalor of the dungeon, the privation of light and air, seem to act even more powerfully than on frailer and more elastic constitutions. In a year and a half, their work was done on Wesselényi. The government had no longer anything to apprehend from him. Blind and decrepit, he was permitted to leave his dungeon, on parole, to repair to Gräfenberg. He was finally released by the amnesty of 1840.

“‘It is with a noble serenity,’ says De Gerando, ‘that Wesselényi has borne the persecutions which have followed him. Proscribed for many years, broken by moral and physical pain, he has been able at length to return to his country, and it is to her that, prematurely old through suffering, he consecrates his last wishes and his last thoughts.’*

“The diet was again convened in 1839. The Austrian cabinet had returned to its old policy. The royal propositions contained no allusion to the topics which chiefly occupied the public mind. The royal speech at the opening of the diet concluded with these words:—

“‘As we have no greater desire than to testify to you, by our entire confidence, a love equal to that of our ancestors of

* *La Transylvanie.*

glorious memory, so, likewise, we do not doubt, in any manner, of the zeal of our faithful states, nor of their eagerness to show themselves the worthy sons of those who have assured to the Hungarians the reputation of a generous nation. Among the subjects of which we shall treat with you, there is one which has its guarantee in the noble Hungarian character, since it tends to maintain the army in a condition worthy of its honour and glory.'

"This prefaced, after the ancient fashion of the Austrian kings of Hungary, a demand for subsidies.

"The first of the royal propositions demanded the reinforcement of the army; the second, supplies for its support. The only point affecting the interests of the country to which it called the attention of the diet, was the regulation of the course of the Danube.

"The liberal party did not, however, lose ground in the diet of 1839. Some new advantages were acquired for the peasant, and the privileges of the nobles were still further retrenched. The diet was dissolved on the 3d of May, 1840. The government, convinced by the result of this diet, of the strength of the liberal party, returned once more into the path of concession. At the closing of the diet, an amnesty for political offences was proclaimed. The prosecutions were stopped, and the prisoners set at liberty. Among these was Kossuth. He left his dungeon, with his bodily frame wasted and enfeebled, but with his mental faculties unimpaired and his energy unsubdued. He was released in May, 1840. On the 12th of July, of the same year, appeared the first number of the *Pesti Hirlap*. It was published by the bookseller Heckenast. The name of the editor was concealed. Never, since the rise of periodical literature, did journalist exercise such a power as that swayed by the unknown editor of the *Pesti Hirlap*. He attacked wrong and injustice in whatever quarter they showed themselves. He not only maintained a contest with the government for the constitutional liberties of the kingdom, but brought to light all malpractices which took place in the administration of public affairs throughout the country. Abuses to which the diet had in vain attempted to bring a remedy, fell before the attacks of the *Pesti Hirlap*. The minute knowledge which the editor displayed of the affairs of every part of the kingdom,—the vigilance from which it seemed that no-

thing could be hid,—above all, his rigorous justice,—inspired both admiration and fear, and gave a force to his judgments which nothing could withstand. In six months after its first publication, this journal numbered eleven thousand subscribers. These were of all classes and of all races. It was sought with equal eagerness by the Slaves and the Germans, as by the Magyars.

“But with the increased diffusion of liberal opinions, the opposition to them strengthened, and was gradually assuming a more selfish character. It became apparent that the advocates of reform would not be content with merely removing the most flagrant abuses. When the untitled nobility had laid down all the privileges which separated them from the common people, it was not to be supposed that the nation would see with indifference the enormous influence exerted in the state by a few families.* Already some of the liberal party had recalled the fact that the chamber of magnates was an innovation introduced under the Austrian administration, and there were many indications that the titled aristocracy would be called on to make some sacrifices in their turn. Experience has shown, again and again, that men who are capable, individually, of making the greatest sacrifices, become selfish and tenacious as members of an order. The interests of the magnates of Hungary, and those of the emperor of Austria, became every day more closely intertwined. There were still, however, among them noble examples of patriotism and disinterestedness. Széchényi was still true to the principles of his youth. The name of Batthyányi has been already consecrated by martyrdom.

“The diet was again convened for 1843. The Austrian cabinet had now abandoned the idea of intimidation, and returned to the line of policy it had adopted in 1832. The royal propositions called the attention of the diet to some of the principal measures of reform demanded by the liberal party. The charge of defeating them was left to the upper house. The two parties in the state, that adverse and that favourable to reform, were already known by the names of the government party and the opposition. Among the opponents of reform were found all who held offices by the appointment of the crown, and likewise

* Every member of a magnate family, after he has attained the age of twenty-four, has a right to a seat at the first table of the diet.—De Gerando.

—with regret it must be spoken—the dignitaries of the Church, who gave their influence and their votes constantly on the side of the Austrian government. Meanwhile, the same means were put in requisition, as in the case of the former diet, to defeat the election of the liberal candidates. Money was not spared. All the influence of the government and of the conservative magnates was called into exercise. But without effect. The voice of the nation pronounced itself, with decision, for the liberal side. The party of reform had, as before, a very large majority in the lower house. New victories were obtained for the cause of freedom. The most important measure which was passed during this session of the diet was that which gave the peasant the right to become the possessor of landed property, without restriction. The law of 1836 had given him the power of acquiring the property of the land which he held as tenant, by means of contracts between himself and the manorial lord. The act of 1843 permitted him to become the owner, by purchase, of noble property, as if himself noble. The advocates of this bill took the ground, that, by their ancient constitution, the peasant possessed this right, and that it was but a revival and confirmation of a law already existing, though long unrecognized. While this question was under debate, one of the members proposed, as an amendment, that this right should be extended only to such peasants as understood the Hungarian language; but he was instantly reminded by his colleagues, that ‘the law gave all the inhabitants of Hungary the title of Hungarians, and that all, having equally shed their blood for the defence of the country, had a right to share in the same advantages.’ The act was passed without any condition. It was likewise carried in the upper house, where it owed its success chiefly to the exertions of Count Széchényi.

“Another very important measure, which likewise originated at the second table, was carried during the diet of 1843. This was a law by which all public functions were rendered accessible to the non-nobles.

“The liberal party could not, however, yet succeed in obtaining the passage of a law for the equal distribution of the taxes. It was in vain that Széchényi exerted all his eloquence. The victory was still delayed. But, in the mean time, in anticipation of the law, great numbers of the liberal party caused themselves to be inscribed on the list of those subject to taxa-

tion. ‘There is not a county,’ says De Gerando, ‘in which the liberals have not, in crowds, given this proof of their patriotism.’*

“The chamber of deputies attempted several other measures of reform, which were lost through the opposition of the upper house. Among these were, the abolition of the *aviticitas*, and the introduction of trial by jury. The states likewise passed some decrees favourable to Hungarian commerce;† these having, with some difficulty, passed the upper house, were by the government ‘deferred to the next diet,’—a common mode, with the Austrian cabinet, of disposing of measures to which it does not venture to give a direct veto.

“The liberal members of the diet had not succeeded in carrying all their measures, but, during the short time they had been in session, they had rendered great service to the country, and they were confident of obtaining yet greater victories at the next convention of the national assembly, which was to take place in 1847.

“The government in 1845, finding all its attempts to arrest the progress of the liberal party unsuccessful, resolved to renew the attempt which had been made in the time of Joseph, and attack the liberty of Hungary in its very stronghold,—the municipal governments. Hungary has been, from the earliest times, divided into counties, each of which possesses an independent administration; so that the kingdom may be said to

* Bezerédy was one of the first to set this honorable example. The following letter, addressed to him by the peasants of the village of Bitske in the county of Fejér, dated April 5, 1845, will give an idea of the character of the Hungarian peasantry, and the feeling which subsists between them and the nobles. In this country, the great majority of the inhabitants are of the Magyar race.

“The patriotic act by which, faithful to holy and eternal justice, you have been the first to renounce the right of exemption from taxation,—this act, truly worthy of a noble, has already, to the honour of our aristocracy be it said, found many imitators. Those who have followed your example have made the most worthy recognition of your action. We also, who believe that, in taking part in our burdens, you have not lowered yourself to our level, but have raised us to yourselves, all regard it as a sacred duty to express to you our ardent gratitude for this noble sacrifice, which opens a new era to our country. May God grant, for the glory of the country and for our happiness, that your life may be long, and that your spirit may inspire the whole world.”

† Very severe restrictions were imposed by Austria on Hungarian commerce.

be composed of a number of small states, united by a federal compact, and represented, by their deputies, in the general diet of the nation. Each of these counties is presided over by a Föispán, or supreme count, who is usually one of the large landed proprietors of the county. Under him is an Alispán (Viscount), on whom the principal business of the county devolves. The salaries of these officers are, on the true republican principle, very moderate. The honour of serving the country is regarded as sufficient recompense. The law provides, that, in case of neglect of duty on the part of the Föispán, the king may, *at the instance of the county*, oblige him to resign his office into the hands of an administrator, to be named by the king. The government made the absence of some of these magistrates from the counties over which they presided the pretext for a general displacement. This was done without the consent of the counties, and even in cases where the Föispán had resigned his other offices for the purpose of devoting himself to the affairs of his county. The new administrators brought with them a complete set of under officers, and, instead of receiving the moderate stipend awarded by the county to its chief magistrate, had very large salaries from the Austrian government. It was the intention of the cabinet, by this illegal measure, to overrule the elections, as it had already done in Croatia.*

* Kossuth, in March, 1845, soon after this arbitrary act of government was carried into effect, addressed the county of Pest in a speech in which he pointed out all the dangers to the country which were involved in this measure, and all the evils which must result, and which actually did afterwards result, from it. We have not room for this speech. We give the opening and closing passages.

"Although the future of our country appears to me covered by a dark veil, I cannot deny that the hope of a better destiny has sometimes beamed before my eyes. One of these moments of illusion presented itself when the government seemed ready to unite in our views, and to walk with us on the path of progress which had been smoothed by our efforts; when it seemed to offer us its assistance in repairing the faults of our fathers, and raising the people from their sad condition. We were then ready to banish the remembrance of three centuries of sorrow, and to give ourselves to the labours which were to replace this mournful but sacred struggle in which we had been engaged for the defence of our rights and our liberties. Alas! the illusion quickly vanished, and we found ourselves still alone on the path of progress. One step more and the struggle recommenced. So be it then; those who were ready to reconcile themselves with power will again defend their rights as men and citizens.

The appointment of these administrators excited an indignation, which their conduct did not tend to allay. It was in vain, however, that the counties presented remonstrances to the king against the maladministration of these functionaries. All complaints were disregarded, and this new encroachment on their rights was added to the list of grievances for whose redress the nation was to combat at the next meeting of the diet.

“In June, 1847, the opposition party issued a programme of the measures which they intended to advocate at the next meeting of the diet. They begin with declaring that, in giving their opposition or their support, they shall have regard, not to persons, but to acts; that they shall disapprove of those acts of the government only which are, in their form or their essence, illegal, or which are calculated to affect injuriously the interests of the country. They proceed to recount some of the most serious of the long-neglected grievances of the nation:—

“Our heavy grievances, so many times exposed, after a long course of years, in which we have asked, urged, waited, have remained even to this day without a remedy. They have become more bitter, because our legitimate complaints, so often heard, have never produced any result. It is for this reason that confidence and hope begin to fail.

“In the mass of our grievances there are some on which the opinion of the whole nation is unanimous, including the men who are now members of the Hungarian government. Nevertheless, the government does not seek to remedy the evil; we cannot see, on their part, any intention of relieving it. In addition to our complaints of long standing, we find new grievances in recent acts of the government. We have no need to relate them in full; the public consultations of the

“It has been said,—what has not been said to justify the government?—that order rendered these illegal measures necessary. Order! I do not know a word of which despotism has made a more insolent abuse. It is in the name of order that Nicholas has effaced Poland from the rank of nations, and that king Ernest has annihilated the constitution of Hanover. It was in the name of order that Philip II. made a cemetery of Belgium. This order, thanks be to God, Hungary does not know, nor does she desire to know it. Hungary is governed only by laws, and, if order requires a change in the government, the nation must assemble and assent to the change. Any measure which is arbitrarily imposed is not order, but illegality, despotism, that is to say, disorder.”

counties, their representations and their circulars, have already fully exposed and registered them. In this alarming situation of our country, we must strive to increase and strengthen the legal guarantees of our constitutional existence. We regard the responsibility of the government as one of these guarantees. This belongs to the very nature of constitutional government, and will form the best defence of the Hungarian government against the pernicious influence of foreign elements.

“‘ Among the constitutional guarantees we count publicity. This we will maintain, with all our force, in regard to every branch of public life. We regard as a constitutional guarantee, and as a necessary means to our future national development, the liberty of the press, limited by suitable laws. We shall therefore insist upon the abolition of the censorship, which has been introduced contrary to law.

“‘ We regard it as legal, equitable, and as important for the increase of the national strength and the security of our independence, that Transylvania and Hungary should be fully and legally united ; that the two nations may be restored to each other, and the claims of kindred and the long-expressed wishes of both countries satisfied.

“‘ But we shall not regard our mission as accomplished when we have fortified the guarantees of our constitutional existence. We believe ourselves called to labour continually for the accomplishment of all just reforms. We therefore resolutely declare, that we shall remain, for the future, on the ground on which the history of the last years has made the name of opposition synonymous with that of reform.

“‘ In conformity with all that precedes, while we regard it as our indispensable duty to guard the right of the initiative, we also hold it our duty openly and clearly to point out the principal questions whose prompt solution we believe necessary for the good of the country :—

“‘ 1. The equal distribution of the public burdens. We regard it as our principal duty to lighten the burdens of the people, who have hitherto been alone subjected to taxation. We wish in this respect, also, to strengthen our constitutional guarantees. We desire that the diet should decide as to the disposition of the impost.

“‘ 2. Participation of the non-nobles, of the inhabitants

of the royal cities, and of the free districts, in legislative and municipal rights.*

“‘3. Equality before the law.

“‘4. The abolition of the urbarial dues, with indemnity to the landed proprietors. We think it desirable that steps should be taken to render the redemption of these universal, through the assistance of the state.

“‘5. Security given to credit and property by the abolition of the *aviticitas*.

“‘We shall labour strenuously to call into life all that can tend to the material and intellectual development of the country. We shall endeavour to give to popular education, that powerful engine of national development, such a direction as shall form able and patriotic citizens, that the people may, by this means, likewise attain to personal independence. . . .

“‘While labouring for the accomplishment of these ends, we shall never forget the relations which, by the terms of the Pragmatic Sanction, exist between Hungary and the hereditary states of Austria. But at the same time, we shall hold fast to the tenth article of 1790, by which the royal word, sanctified by an oath, guaranteed to our nation that Hungary is a free country, independent in its whole system of legislation and of administration, and that it is not subordinate to any other country.’

“The events which took place in France and Austria in the spring of 1848 gave to the cause of liberal principles a speedier triumph than its advocates had anticipated for it. Ferdinand, in the midst of a crumbling empire, was in no condition to refuse the demands of his people. Immediately after the revolution of the 13th of March in Vienna, the opposition party in Hungary issued a proclamation, headed, ‘*Mit kíván a magyar nemzet?*’—‘What asks the Magyar nation?’

“This manifesto sets forth twelve points of reform:—

“‘1. We ask freedom of the press, and the abolition of the censorship.

* It has been said, among other things, by those writers who support the Austrian views, that the abolition of the disabilities of the unprivileged class, decreed by the diet in 1848, was a measure of policy intended to secure the co-operation of the people in a projected revolution. This programme, published eight months before the revolution in Paris, which gave occasion to that at Vienna, offers a sufficient answer to this assertion.

- ““ 2. A responsible ministry at Buda.
- ““ 3. Annual diet at Pest.
- ““ 4. Equality before the law, both as regards religious and civil rights.
- ““ 5. A national guard.
- ““ 6. An equal distribution of the public burdens.
- ““ 7. Abolition of the urbarial relations.
- ““ 8. Trial by jury.
- ““ 9. Representation on the principle of equality.
- ““ 10. A national bank.
- ““ 11. The army shall be required to take the oath to the constitution ; the Magyar troops shall not be taken out of the country ; the foreign troops shall be withdrawn.
- ““ 12. Union with Transylvania.*

“ To these articles, at the suggestion of Vahot, was added, the release of prisoners confined for political offences. †

“ It is to be observed that these demands for equality before the law, and an equal distribution of the taxes, were not made

* Before the union of Transylvania with Hungary, there were some important differences in the political constitutions of the two countries. In Transylvania a distinction of races was recognized. In the Transylvanian diet, the Magyars, the Szeklers, and the Saxons were represented as distinct nationalities, by their respective deputies. The Wallachian inhabitants of the country were not represented in the diet as a distinct race; they were counted as Magyars. A Wallachian noble might be elected to the diet, but he sat there as a Magyar. Among the Szeklers, a race closely kindred to the Magyars, the distinction between noble and non-noble has never been introduced. They have preserved their ancient institutions in greater purity than the Magyars. By the union of Transylvania with Hungary, all political distinctions founded on difference of race were abolished: the same system of representation was established in Transylvania as in Hungary; all the inhabitants, without distinction of race, were admitted in the right of suffrage, the possession of a very small amount of yearly income being the only qualification required.

† “ We have state prisoners,” says Birányi, “ who, victims of an arbitrary act of power, have been pining for years in horrible dungeons. It would have been shameful to have forgotten them in the list of the national demands.”—*Pesti Forradalom*, Pest, 1848.

“ An inconsiderate word, or a single passage in a perhaps prudently written book, torn out of its connection, and invested with an arbitrary meaning, was all that was needed to stamp a man as a political criminal. This was the easiest means of putting out of the way men of distinguished abilities, who might have been able to further the welfare of their country.”—Berffi, *Ein Blatt Volksgeschichte*. Pest, 1848.

by those who suffered by the existing injustice,—until these reforms were carried, these had no voice in any public matter,—but by the very persons whose privileges were to be abrogated.

“These measures of reform were rapidly passed by the diet. A deputation of Hungarian nobles then proceeded to Vienna, to lay them before the king, and obtain his sanction.

“On the 19th of March, placards, affixed to the walls of Pest, announced to the people that the royal assent to their demands had been obtained. A copy of a letter was given, addressed by the Palatine to Count Batthyányi, empowering him to form the long-desired Hungarian ministry. This announcement seemed to give the final pledge of the reality and permanence of their newly gained freedom. The people were satisfied. They had never had any other desire than to live quietly under just and equal laws. They believed their end accomplished. A partaker in the scenes of the 15th to the 19th of March, writing while the hopes of the people were still fresh, and before they had even a foreboding of the terrible disenchantment which was to follow, speaks thus:—

“‘That which in Italy has cost streams of blood, that to which, in France, hundreds and hundreds of men fell as sin-offerings, that which Germany must buy with blood, and again blood,—that have we Hungarians, who have been decried, through all Europe, as a seditious, lawless, turbulent people, gained without any disturbance of the public order. Our victory was no victory of force, but a victory of right,—a victory of intelligence. Our revolution was a revolution against disorder, to obtain the highest good of a free people,—order.’*

“Another eyewitness thus describes the effect produced on the people of Pest by the announcement of the royal assent:—

“‘It would be impossible to describe the joy which everywhere manifested itself. With deeply penetrated, devout hearts, we hastened to the church, to give thanks to the Omnipotent for this speedy bloodless accomplishment of our transformation. The church, when we entered, was filled with people, the sight of whose deep, enthusiastic devotion elevated the heart with a sublime feeling. When we left the church, I felt as if newly born, newly baptized.’†

* Berffi. Der 15. März, 1848, in Pest. *Ein Blatt Volksgeschichte*

† *Pesti Forradalom. Irta Birányi Akos. Pesten, 1848.*

“But this apparent triumph of their rights did but hasten the crisis which Austria had been for year preparing for the Hungarian nation.* While they were returning thanks to God for their freedom, redeemed without blood, Jellachich was receiving his orders from the Austrian cabinet.

“On the 24th of March, only five days after the date of the letter to Count Batthyányi, which had excited so much joy and gratitude among the people, the Palatine Stephen, son of the old, beloved Palatine Joseph, and who was himself possessed of the affection and confidence of the Hungarian people, addressed to the emperor a letter, in which he set forth the ‘three measures’ through which ‘alone’ he ‘hoped to accomplish anything in Hungary.’

“The first measure was to withdraw all the military force from the country, and to ‘abandon it to entire devastation,’ (dieses der gränzlichen Verwüstung zu überlassen,) to ‘pillage and fire,’ while the government was to look passively on. The second measure was to make an attempt upon Count Batthyányi, the President of the Hungarian ministry, and, through his means, ‘to save all that is to be saved.’ The third measure was to recall the Palatine, and to send a royal commissioner, invested with extraordinary powers, with a considerable armed force, to Presburg, who should repair to Pest, after the dissolution of the diet, and there carry on the government

* Our limits will not allow us, at the present time, to enter into the history of the intrigues and illegal proceedings of Austria in the southern provinces of Hungary, and more especially in Croatia, for many years before the breaking out of hostilities. The citizens of this latter kingdom were, in many places, debarred from the exercise of their political rights. They were attacked and driven from the place of election by the members of the Illyrian faction, furnished with arms from the public arsenals. It was in vain they appealed to the king. Their remonstrances were unheard. During the sitting of the Hungarian diet of 1843-44, the district of Turopolya, in Croatia, addressed a petition to that assembly on this subject. The county of Zágráb, the largest county in Croatia, likewise addressed to the county of Pest in Hungary, February 20, 1846, a very earnest letter, relating the acts of illegality and violence which had been committed in that county, with the connivance and assistance of the authorities, and calling on the Hungarians, in the name of the ancient ties which bound the two countries, to join with them in earnestly petitioning the king for the redress of this injustice, their own appeals having been wholly without effect.

with a strong hand, in such a manner as circumstances may require.* The Austrian cabinet adopted each of these measures in turn. The first was already in progress of preparation. Until their plans were matured for carrying the third into execution, it was necessary still to temporize. The good faith of the Hungarian ministry was not to be tampered with, but their credulity might be practised upon. They were, for a time, not less deceived than the rest of the nation.

“On the 11th of April, Ferdinand gave in person, at Presburg, his solemn sanction to the laws which had been promulgated in March. On the 10th of the following month, he issued a proclamation, addressed to the rebellious Croats and Servians, in which Jeillachich was denounced as a traitor, and deprived of his banship, and all his military employments. In this proclamation, Ferdinand himself exposes the futility of the accusations which had been brought against the Hungarians as oppressors of the other races. He upbraids the rebels with their treason, in the following terms:—

“‘ We have been deceived in you,—in you, Croats and Slavonians, who, for eight hundred years, under the same crown, sharing the destinies of Hungary, *have owed to this bond the constitutional freedom which you alone, among all Slavonian people, have been through a course of centuries in a condition to retain.*

“‘ We find ourselves deceived in you,—you, who *have not only always shared equally in all the rights and privileges of the Hungarian constitution, but also, by the favour of our illustrious ancestors, in reward of your spotless fidelity, have been invested with greater privileges than any other subjects of our sacred Hungarian crown.*

“‘ We have been deceived in you to whom the last diet of Hungary and its dependent states granted, agreeably to our royal will, a brotherly share in all the benefits of constitutional freedom and equality before the law. The right of constitutional representation has, with you, as in Hungary, been ex-

* The young prince confesses to some scruples with regard to the first project. He suggests, that it might “perhaps” not be thought “suitable” for a government to abandon its subjects, “a portion of whom, at least, are well disposed, to all the horrors of an insurrection.” It is probable that these plans did not originate with the Palatine, but were dictated to him at Vienna.

tended to the people, so that not only the nobility, but also the other inhabitants, and the frontier regiments, through their deputies, may take part, as well in the general legislation as also in your municipal assemblies, and thus you yourselves, through your own immediate action, can forward your own prosperity. Hitherto the noble has had little share in the public burdens ; henceforward the uniform distribution of the same among all the inhabitants, without distinction of class, is established by law, and thereby an oppressive burden has been taken from your shoulders.

“ Your nationality and municipal rights, in regard to which an attempt has been made, by malicious, false reports, to inspire you with apprehensions, are not in any way threatened ; on the contrary, they have been extended and strengthened, secured against all attacks ; for *the use of your mother tongue has not only been secured to you by law in your schools and churches, for all future time, but has also been introduced into your public assemblies, in place of the Latin, hitherto in use.*

“ Calumniators have endeavoured to persuade you that the Hungarian nation wishes to suppress your language, or to hinder its further development. *We ourselves assure you these reports are entirely false.*

“ *For eight hundred years have you been united with Hungary ; during all this time, the legislature has acted with a regard to your nationality ; how could you, then, believe that this same legislature would now show itself hostile to your mother tongue, which it has protected for eight hundred years ? . . .*

“ The law is holy, and must be holy. *We have sworn by the living God, that we will preserve the integrity of our Hungarian crown, that we will maintain and obey the constitution and the laws, and cause others to obey them.*

“ This proclamation had the effect of confirming the Hungarians in their false security. It had no other effect. Jellachich continued to raise troops, and complete his preparations for the invasion of Hungary. The other agents of Austria in Southern Hungary incited the peasants with the hope of the rich plunder of the Hungarian towns and villages. The work of devastation began immediately after the promulgation of this edict.

“ On the opening of the diet, on the 5th of July, the Palatine, in the name of the king, expressed his reprobation of the

rebels in Croatia and Slavonia, who, as he said, had even dared to use the royal name, and to resist the laws under the pretext that they were not the free expression of the royal will. He assured them that it was his majesty's desire that the representatives of the nation should consider it their first duty to take the necessary measures for restoring the tranquillity of the country, for preserving the integrity of the Hungarian kingdom, and for maintaining the sacred inviolability of the law. With this view, he recommended them to bestow their earliest attention *on the defence of the country and the state of the finances*. He declared that the king regarded with signal displeasure the audacious conduct of those who had ventured to assert that any act of disobedience to the law could be pleasing to his Majesty.

"In the mean time the southern provinces of Hungary were already a prey to fire and massacre,* while the Austrian generals looked quietly on. It was not until the 11th of July, that the nation was roused to a sense of its danger, and, on the motion of Kossuth, ordered a levy of men to defend the country against invasion.

"In August, the Austrian cabinet threw off the mask; the imperial troops began to march towards Zágráb, and to place themselves under the command of Jellachich. In their reply to the remonstrances of the Hungarian diet, the ministry at Vienna now spoke openly of the Croatian and Servian rebels as the brothers in arms of the imperial army.

"On the 4th of September, the emperor addressed a letter to the same Jellachich whom, not two months before, he had denounced as a traitor, in which he speaks of the '*indubitable proofs of fidelity and attachment which the Freiherr von Jellachich had repeatedly displayed since he has been named Ban of Croatia.*'

"The Hungarians made yet one more attempt to avoid an open collision with the Austrian government. On the 9th of

* An attempt was likewise made, by the emissaries from Vienna, to excite an insurrection in the North of Hungary, among the Slovacs; but with little success. A band of marauders was, by the aid of money from Vienna, got together, who committed some depredations in the county of Trencsén; but they were speedily suppressed. A company of three hundred of the Presburg National Guard was sufficient for this purpose.

September, a deputation of one hundred and sixty Hungarians, at whose head was Pazmandy, the president of the chamber of deputies, repaired to Vienna, to entreat the emperor of Austria to show himself the king of Hungary, and 'to contribute to the rescue of the fatherland by throwing the weight of his royal authority into the scale.' The king drew from his pocket a written paper, and read them, in an indifferent voice, a cold and evasive answer.

"The deputation returned to Pest, to announce to the Hungarian people, that they were to rely only on themselves. On the same day, Jellachich, at the head of the imperial forces, passed the Drave.

"It was thus that the war between Hungary and Austria began. From this period, the eyes of the world have been turned upon Hungary. Our readers have yet fresh in their recollection the scene of this war, in which the Hungarians extorted admiration even from their enemies. It is not our intention to retrace them here. We have designed only, in this rapid sketch, to place in a condensed form before those of our readers who had not, previous to the breaking out of the late contest, directed their attention towards Hungary, such a statement of the antecedent relations of that country with Austria as shall enable them to form an equitable judgment of the events of which they have been witness, and of those which the next decade is to develop."

M. L. P.

It may seem remarkable, that the History of the Crimes of the House of Austria should be closed just with the stirring up a war, which concentrates and epitomizes all the crimes of five hundred years, against a virtue, which, for eight hundred years, had been one long struggle for the development of the noblest constitution of the Eastern Continent, a Constitution thirteen times all but overthrown by despots, and thirteen times reinstated by the patriotic energy of its liberty and law-loving people.

But the object of this compilation is especially to show, that the Austrian house has been acting, in the war of Hungary, wholly according to its nature; for that its whole conduct from Rodolph downwards, with reference not merely to Hungary, but to every nation and province of a nation, with which it has

come into contact, demonstrates, that it is an enemy to all international law which deserves the name of *Public Right*; and imperatively calls upon all constitutional nations, in self-defence, or, at least in defence of the principle which is their strength, to withdraw from it their support and countenance.

It would be unjust to give less than a volume to the history of this war; a war unrivalled since the days, when Athens and Sparta, at the gate of Europe, stemmed the millions of Asia, that were threatening to overwhelm the only spot on Earth, where Freedom was self-conscious and intelligent.

Indeed, the historian cannot fail to see a certain parallel between this crisis of the world's history, and that culminating point of antiquity, the world-renowned, time-honoured Persian war. For more than two thousand years had Syria, Babylon, Media, Nineveh, Egypt, Ethiopia and Persia been developing every resource of the gardens of the world, from the banks of the Nile to the Indus; and they had formed a commercial web* of power and wealth, which stretched from China (the ancient Serica) in the East, to the Gulf of Guinea, along the North of Africa to Spain, and thence coastwise to Britain on the West, and concentrated in their great capitals the material resources of the Earth, as may be discerned, with the eyes of the present day, upon the monuments that yet remain to astonish us by their colossal proportions, and their historical memorials, and by the gem cylinders, whose date seems as endless as their influence was deep.† At the end of the sixth century before Christ, those vast regions had been centralized by the military genius of Cyrus, and the administrative skill more than the military genius of Darius Hystaspes, so that all their productions, and their inhabitants, with all their time and labour, physical strength and genius, were at his personal command.‡

At the same period, on the borders of this mighty empire, was a small state, not so large in area as the State of Rhode Island, in which dwelt a people, rich only in ideas, but ideas that had cherished the instinct of liberty into a divine inspiration; for it had lifted them into the conception and faith, that intelligences finer than could be discerned with the gross material organs, and purer than could be brought into circum-

* See HEEREN's Researches among the monuments and concerning the commercial relations of the ancient nations of Asia and Europe.

† LANDSEER's *Sabæan Researches*. ‡ Herodotus, § 89 of *Thalia*.

scription by the material forces with which men make war, were allied to them, and had received into their august companionship Hercules and Theseus, their heroes of labour and patriotism, and would not suffer Greeks to admit as equals, but empowered them to despise as barbarians, all who bore the form of men but had debased themselves from the stature of manliness, by slaving for another man, although he did command the material resources of the Universe.

The Persian power had not spared in its rapacity a few little commercial colonies which shared the blood and culture of Athens; but indirectly, through its victory over Croesus, who was Grecian by culture if not by race, had made them also tributary, and included them in its centralised empire. A word from these colonies to Athens, intimating that it was neither pious nor Hellenic to allow a barbarian to lord it over a kindred people, with identical gods,—was enough to rouse up that little state, which had just developed the old free constitution of Theseus into Solon's republic, by the expulsion of the Pisistratidae,—and it rose, on the principle of a fraternity, and attacked “the Great King;” provoking his vengeance and risking in self-respect, the worst he could do.

And when he did do his worst, and poured upon the devoted little state his hundreds of thousands, did it flinch? No! but strong in their gods, strong by the shade of Theseus,* whom, with the creative enthusiasm of a faith deeper than sense, and which raised the spiritual vision above the material, they saw visibly marshalling their bands, their ten thousand met and vanquished the hundred and ten thousand Persians in the one great battle of Marathon. And again, after ten years of rest from that defeat, when Darius's son led up his million (not a man less,†) was it not able to raise the sister states to intervene, on the mere principle that spiritual was not to be submitted to material forces? And were not three hundred allies found who could deliberately choose to die on the nation's threshold as the barbarian was about to cross it, for the mere purpose of showing him the difference between the owners of a Penates-guarded homestead, and the bond-servants of a despot under whom no homestead was sacred? And even when their little country was desolated, and their city burned, the temples of their

* See Herodotus, 108 of Erato.

† Herodotus.

gods not spared, and although no miraculous interposition had saved these consecrated places, did their faith and confidence falter? Did they not rather rally on the sea, still confiding in the oracles of their god, which echoed the sentiment of their own hearts, that themselves, without a foot of land on the earth, were Athens? And thus inspired, did they not vanquish a fleet three times as great as their own, a fleet in which were the mariners of Phœnicia? And when, after a winter's rest, the selected three hundred thousand bravest of that invading million came down for another attack, led by the greatest captain of his nation, did not all the worshippers of the Grecian Olympus (where was embodied to their imaginations every distinctively human attribute, and the moral harmony of the Universe itself, as Phœbus Apollo) rally, presenting indeed numerically but one third the force, but, by that which was within, outmeasuring a thousand times the Persian three hundred thousand? And almost at the first blow did they not destroy it, so that scarce one was left to go home and tell the tale? Were they satisfied with even this? Did not another twenty years of unwavering action on the same principle, by land and sea, end with a complete victory, in which the son of the victor of Marathon, having ended the war ten years before, by the battle of the Eurymedon, dictated to the great king a peace, whose articles bore that no Persian should come within thirty miles of the Grecian seas, and that the colonies of the Greeks on the Asiatic coast should be free and self-governed?

So was it of old, with a nation whose gods were no greater or more beautiful than their own best thoughts, but just as great and just as beautiful as those best thoughts believed in and allowed to carry them whither they would,—which is the secret of the whole wonderful history. More than two thousand years have passed by, and we behold the material wealth and power of Europe combined against a nation, which bears to the Holy Alliance the same relation that Greece bore to Darius Hystaspes.

Hungary combines in this modern time the cause of both Ionia and Athens, and Nicholas of Russia leads the conservative nations against her, like Darius of old. Single-handed, has she already done battle on a hundred Marathons. There is nothing more wonderful in human history than Hungary in 1849 retreating into the heart of her own dominion, while the

armies of Russia and Austria, with the Serbs and Croats which the latter power had infuriated to join them, form the cordon round Hungary, contracting it every day, and crowding the nation nearer to each other, like a troop of hunters who are driving in to the death of their game. The Hungarians stand back to back, facing the foe all round, determined to shed their last blood rather than yield their right to national independence. But this is not all. In that devoted phalanx, which, unlike the phalanx of old, is a circle bristling round its whole circumference and threatening death to the hundred thousands who menace it, is an angel of life. He bears a silver trumpet, through which he speaks, and the ringing music turns the statues of men into statues of the soul. They are no longer vulgar flesh and blood ; they are transfigured with the spirit of liberty and law. At the word of command, they start into action. The iron circle breaks : North, South, East, West, shoot forth thousands to their work.* They break the contracting cordon that was pressing them in, though it were deep by tens of thousands of the paid soldiers of despotism, and they return on their steps ; and they sweep from their native land the invaders, till hardly a foot of an enemy is left to profane the holy ground :

Aye call it holy ground!

The spot whereon they trod—

They keep unstained what there they found—

Freedom to worship God.

A second time in the world's history have spirit and matter met on the battle-field, at fearful apparent odds,—and spirit triumphed!

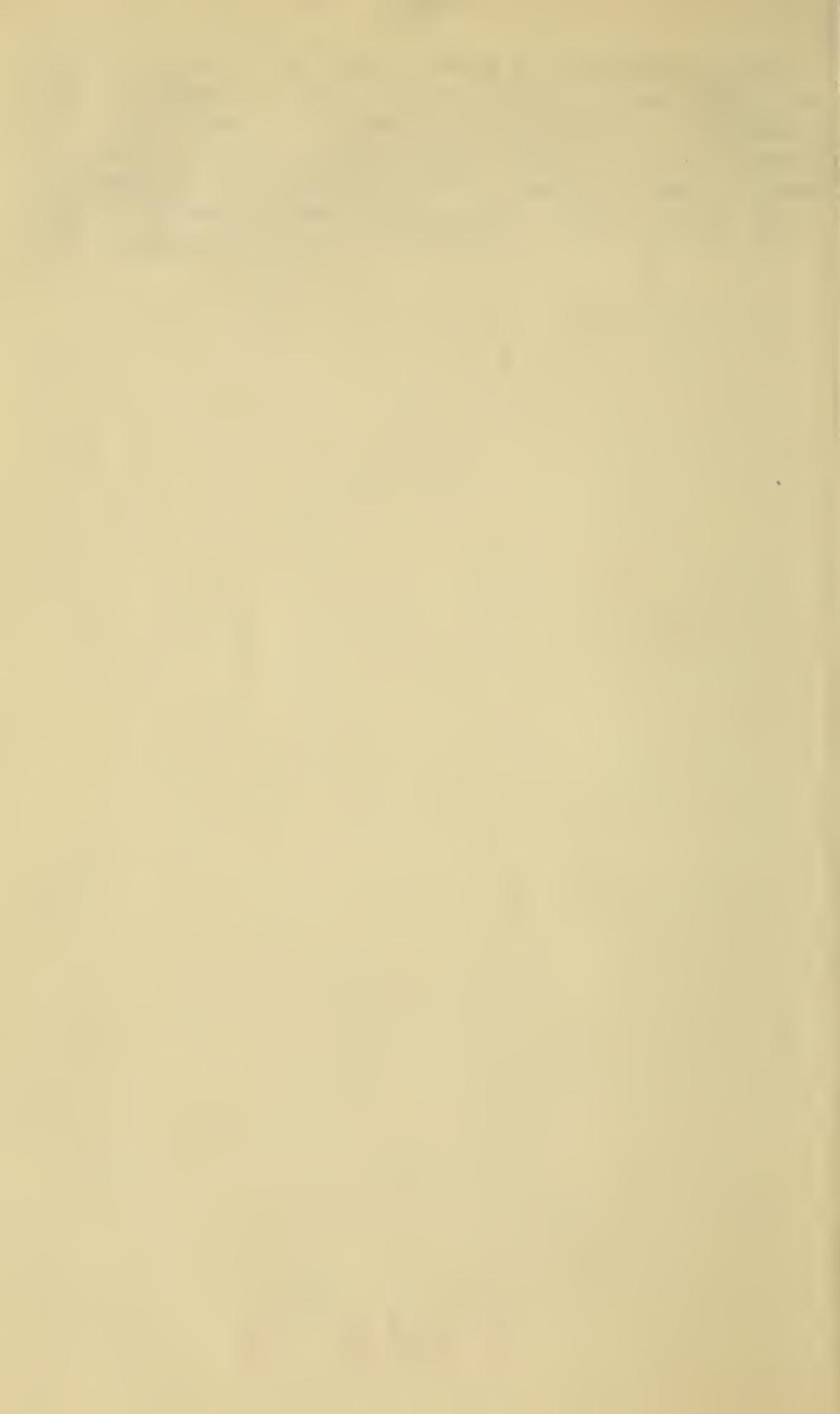
Sparta was not at Marathon. She was wisely at home, performing the holy rites that had been handed down through noble generations, and consecrating laws which guarded liberty. But she came up, when Marathon was won, to rejoice in the victory, and to pledge her future coöperation. Nobly was the pledge redeemed at Thermopylæ and at Platæa.

But where was Hungary's Sparta, even when the vanquished enemy rallied in still greater numbers and again stormed in upon her? Did not the Earth contain an older republic, "the

* See Dr. TEFT's Hungary and Kossuth, p. 337.

model republic," that might send a new Leonidas with some devoted "three hundred" out of whose bosoms should go a fire that should pass with lightning quickness through the golden linked chain of despotism which binds the Holy Alliance together, and make it a rope of ashes ? And if it were not enough to show the Czar of Russia a new Thermopylæ, to rally to a new Salamis and a new Platæa ?

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